

# AGENDA

Council Meeting to be held  
on Thursday 22 July 2010

# ***Shire of Nannup***

## **NOTICE OF AN ORDINARY COUNCIL MEETING**

Dear Council Member,

The next Ordinary Meeting of the Shire of Nannup Council will be held on Thursday 22 July 2010 in the Council Chambers, Nannup commencing at 4.15 pm.

Schedule for 22 July 2010:

- 3.15 pm      Information Session
- 4.15 pm      Meeting commences
- 7.00 pm      Dinner



**SHANE COLLIE  
CHIEF EXECUTIVE OFFICER**

# Agenda

1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**  
(previously approved)
3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Mr R Taylor asked the following questions;

Madam President

Regarding Item 10.12 on 27th May 2010.

The reason given for adoption by Council of rating model put up by Councillor Camarri was that the extent that GRV valuation increased and UV valuation decreased was not reflected in the models recommended by the Shire Officer.

The facts are:

- GRV is revalued every four years
- UV is revalued every year

Over the last four year period of revaluation:

- GRV has increased by 62%
- UV has increased by 54%

Each year the Shire Officer discounts:

- UV rate in dollar by any revaluation in UV
- GRV rate in dollar by any revaluation in GRV

However, over this same four year period the % changes in yield are:

- GRV 21.6%
- UV 9.7%
- With a total change yield of 15,7%

- Q1. Can you explain why certain members of the Council chose to vote for this model and why you used your casting vote for adoption in light of these facts and apparent disregard for Councils current resolutions C1, C2 and C2a of Minute number 8243 of Council meeting of August 2009 introduced as initiatives to make Council sustainable into the future?

Does Council understand that members of our community may consider this an act of self interest by some Councillors.

- A1. Individual members of Council vote on a particular matter based on information provided on that matter, and their particular beliefs in relation to that matter. In the end of the day, it is the collective decision of Council that is acted upon, with reasons provided at the time the decision is made if it is substantially different to that which was recommended. Individual Councillors do not have to provide reasons for their voting patterns if they so desire.

Councillors are elected from the community to represent the community. At the time of voting on a particular matter, Councillors need to be aware of community views on the matter, but ultimately it is up to the Councillor to vote as they think best.

- Q2. Agenda Item 10.6 of 24th June 2010, Page 23 Point 1 – Rates. Why has Council persistently gone against officer recommendations with the resulting implications in budgetary constraints and sustainability.

- A2. Refer to the response at A1 above.

Ms J Molyneux asked questions in relation to item 10.3.

- Q1. Is it not the case that a former Councillor namely Margaret Bird emphatically advised the people at the Council meeting of 24<sup>th</sup> July 2009 that the approval of the rezoning application would not prevent further public discussions?

- A1. As you refer to what a Councillor may have said, I cannot comment other than referring to the Minutes of the Council meeting which are a public record.

- Q2. Were Councillors aware at that time that Approval of the Rezoning meant Approval of the Planning Application without public comment.

- A2. I am unable to speak on Councillors behalf of what they understood at the time. However, Councillors would be aware of the rezoning process, from approval to initiate the amendment through to recommended final approval of the amendment and subsequent referral to the Minister of Planning for actual approval. The rezoning process and approval is to amend the Local Planning Scheme No3 which Councillors would be familiar with to some extent.

- Q3. To each Councillor – how will a psychiatric hospital enhance the Nannup district and improve tourism?
- A3. In the planning process the environmental, social and economic factors are considerations. The provision of a “Hospital and Medical Centre for maximum 30 patients” referred to as a “Day Hospital” can viewed as a positive or negative to the Shire of Nannup. On balance, the recommendation from staff was that the proposal was within the planning constraints of the amended Local Planning Scheme No3 and that Council on balance should approve the proposal.
- Q4. Were the developers of this hospital asked by the Council or administration about the possibility of holding public meeting, did they have any objection to a public meeting and if so why?
- A4. It is my recollection and understanding that a public meeting on this matter was held as part of the rezoning consultation process in 2009. If the question relates to the separate Planning Approval process, that is, agenda item 10.3 June 2010, and I have assumed that it does, it is my understanding that the possibility of holding a public meeting was not raised.

Mr A Morris asked the following questions;

- Q1. We find Cr Dean to be a fine gentleman. We understand that Cr Dean is the only Councillor who has at least one shop, a liquor shop, along Warren Road, and that it would see increased business should the Mental Health Facility go ahead. To be fair, other businesses within the Shire will also likely benefit. The liquor outlet might particularly benefit due to the strong relationship between depression and increased alcohol consumption. It would seem that Cr Dean does not have a pecuniary i.e. vested interest, merely a general beneficial interest. None-the-less, would Cr. Dean consider it prudent to abstain from voting on the above noted item to avoid any perception amongst the not so thoughtful constituents of Nannup of a conflict of interest?
- A1. There is no conflict of interest with regards to Councillor Dean with regards this agenda item.
- Q2. We would like to expand on today's articulate plea from Mr Tony Sheppard to Cr. Dunnet regarding our sense of security. We refer to the Lake Jasper recidivist experiment that ultimately failed. We understand that the original idea was to locate the camp at Lake Jasper. It did however end up off the Vasse Highway near Sues Road. Would Council research the details and confirm that the adjoining neighbours to the camp suffered "a living hell"?
- A2. There is no answer to this question and its relevancy is not established.

- Q3. Would Council review the attached pics regarding advertising leading up to the Council's July 2009 meeting? Would Council consider that both the lack of local notice and miniscule signage at Sky Lakes to represent best practice? Would Council be aware that the signage was retrieved from the bottom of the roadside ditch and that one had to stand in the ditch in order to read it!
- A3. This question is raising issues during the consultation process which were addressed in the agenda item to Council for the recommendation of final approval.
- Q4. Is Council aware that there is no other facility worldwide, certainly not here in Australia, run on a private basis, that intends to treat up to thirty mentally ill patients"? That said, does Council fully grasp all the implications of an untested private business union, dealing with an unprecedented level of patients and on an untested site that is remote and hazardous?
- A4. Council is not best placed to answer this question and you may wish to address this to the licensing authority for the establishment, the Department of Health.
- Q5. Will Council dictate to Mystic River Pty Ltd, that Mystic River Pty Ltd establish a public register of all "incidents" that might occur on Skylakes as a condition of application approval?
- A5. It is difficult to impose conditions with regards to "might occur". It is expected under licensing conditions for this establishment and under legislative requirements the proponent will have to address issues such as health and safety including both staff and patients. There would also be an expectation as with any medical facility that there is compliance with Department of Health and legislative requirements.
- Q6. Does Council recognise that the typical structure of mainstream tourist accommodation here is if plotted as population over a year, would present as a baseline of about 2+ guests surmounted by 6-10 of durations roughly corresponding to holiday periods, whereas regarding this application, the base line of a Class D hospital will be about 15 patients and staff surmounted with a plateau of an additional 20 patients?
- A6. The point being stated or relevancy is unclear.
- Q7. Will there be "institutional roadside signage"? If so what are the details?

- A7. This will be a matter for the proponent and if they do require road signage it will be dealt with as with any planning application under the Local Planning Scheme No3.

Mr G Sharp asked in reference to item 10.3;

- Q1 Will Council explain why the zoning of land doesn't protect the landowner when Council can support a rezoning at a later time?

A1 The zoning of land is not absolute as the legislation and the Local Planning Scheme No3 makes provisions for applications to rezone land.

- Q2 Is Council aware of the potential for disaffected landowners to seek compensation for the loss of property values if Council approves the planning application?

A2 Council would attain a legal opinion on a case by case matter should it arise, as it would do should an applicant challenge a planning refusal or conditions thereto.

Mr D Avery asked in reference to item 10.3

- Q1 Why residents were not given an opportunity to comment on the proposed rezoning until July 2009 approximately 12 months after the rezoning process commenced?

A1 The rezoning process commences with a proponent discussing with the Shire staff their proposal. The proposal is then formally submitted and the requisite fee paid to start the formal process. The initial step is the agenda item to Council to initiate the amendment. Once Council has resolved to initiate the amendment and any alterations required to be made by Council is carried out, the Environment Protection Agency (EPA) is advised and requested authority to advertise the amendment.

Once approval to advertise from the EPA is obtained, then there is a process of consultation including writing to nearby land owners, agencies, public advertisement and in this case a public meeting was held. Following the consultation period an agenda item is prepared for Council for their endorsement of the final approval before sending to the Western Australian Planning Commission for vetting and subsequent approval by the Minister of Planning. Once the Minister has approved the amendment, it is formally gazetted and advertised in the local newspapers and made available at the Shire offices.

The process can be long and involved with a number of delays in the required steps. In this case contributing issues to delay from initiation and

consultation is directly related to the backlog of amendments subsequent to revoking of Town Planning Scheme No1 and implementation of Local Planning Scheme No3. This was also compounded with staff changes and employment of a consultant planner.

4. **PUBLIC QUESTION TIME**
5. **APPLICATIONS FOR LEAVE OF ABSENCE**
6. **PETITIONS/DEPUTATIONS/PRESENTATIONS**
7. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 24 June 2010 be confirmed as a true and correct record.

That the Minutes of the Special Council Meeting of the Shire of Nannup held in Council Chambers on 30 June 2010 be confirmed as a true and correct record.

8. **ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**
9. **REPORTS BY MEMBERS ATTENDING COMMITTEES**
10. **REPORTS OF OFFICERS**

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11. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
  - (a) OFFICERS
  - (b) ELECTED MEMBERS
12. **ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
13. **QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
14. **CLOSURE OF MEETING**

# **DEVELOPMENT**

# **SERVICES**

AGENDA NUMBER: 10.1  
SUBJECT: Adoption of Local Planning Policies  
LOCATION/ADDRESS:  
NAME OF APPLICANT:  
FILE REFERENCE: TPL10  
AUTHOR: Shane Collie – Chief Executive Officer  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 13 July 2010

Attachments:           1.Summary of Submissions LPP 007 – Special Rural Zone Fencing Standards Policy.  
                              2.Summary of Submissions LPP 008 – Nannup Main Street Heritage Precinct.  
                              3.LPP 007 Special Rural Fencing Standards Policy (draft policy amended).

## **BACKGROUND:**

Council resolved at its meeting held 22 April 2010 to adopt the following Local Planning Policies for the purpose of advertising:

- a. LPP 003 Installation of Standard Crossover Policy.
- b. LPP 004 Bed and Breakfast Policy.
- c. LPP 007 Special Rural Zone Fencing Standards Policy.
- d. LPP 009 Relocated Dwellings Policy.
- e. LPP 011 Development in Flood Prone Areas Policy.
- f. LPP 012 Chalet Development Policy.
- g. LPP 013 Car Parking Policy.
- h. LPP 014 Mobile Shop/Temporary Premises/Street Stalls.
- i. LPP 016 Overflow Camping Areas.
- j. LPP 018 Sign Policy.
- k. LPP 002 Private Stormwater Drainage Connections to Council's Drains Policy.
- l. LPP 005 Consultation Policy.
- m. LPP 006 Standard Development & Subdivision Conditions and Grounds for Refusal Policy.
- n. LPP 008 Nannup Main Street Heritage Precinct Policy.

**COMMENT:**

The draft policies were subsequently advertised in accordance with the provisions of the Local Planning Scheme. Closing date for public submissions was the 11<sup>th</sup> June 2010 (14 days from the date of first being advertised). Additional non statutory advertising was undertaken in the Nannup Telecentre Telegraph.

A summary of submissions received and comment on each point raised is noted as follows and as contained in Attachments 1 and 2:

**Draft LPP 007 Special Rural Zone Fencing Standards Policy:**

At the close of the submission period fourteen submissions had been received (Attachment 1). Two submissions were received after the closing date.

The main areas of concern were the restriction on the height of a fence and the type of materials that can be used for fence construction. The majority of respondents stated that kangaroos were a major problem and a fence 1.0 to 1.3 metres above the natural ground level made the fence unsuitable to keep kangaroos out of properties. Likewise the restriction on the type of wire that can be used was seen as overly restrictive in respect of stopping the movement of kangaroos onto properties.

The draft policy has been revised to set the minimum boundary fencing requirements in Special Rural zone areas rather than being prescriptive. This allows land owners to construct fences most suitable to their individual property circumstances and stock management needs. Also included is a clause to control the extent of clearing along boundary lines adjacent to Council road and other reserves, imposing an obligation on the landowner to maintain boundary fencing sufficient to manage changing types of stock on the property.

If a landowner wishes to utilise an electric fence system, such a system must comply with the requirements of Western Power.

As the proposed changes reduces the prescriptive requirements of the original draft policy, it is recommended that the revised policy not be readvertised for further public comment.

**Draft LPP 008 – Nannup Main Street Heritage Precinct Policy:**

At the close of the submission period 4 submissions had been received (Attachment 2).

All respondents were supportive of the draft policy and no changes to the policy are proposed.

**Other Local Planning Policies:**

No submissions were received for the balance of the proposed Local Planning Policies which were advertised at same time.

**Revoking of Old Policies:**

Council resolved at its meeting held 22 April 2010 that the policies below be revoked effective from the date of Council's resolution adopting the new policies that replace them. No further Council resolution is required.

- a. WRK.7 Crossovers to be replaced by Local Planning Policy LPP.003 Installation of a Standard Crossover Policy.
- b. TPL.11 Permitted Land Uses within State Forest – Ex CALM Land.
- c. TRS.1 Signage Policy – to be replaced with a Local Planning Policy LPP.018 Sign Policy.
- d. TPS.3 Street Stalls/Market Day Policy to be replaced by Local Planning Policy LPP.014 Mobile Shop/Temporary Premises/Street Stalls.

**Copies of Policy Documents:**

Council members would have copies of the 13 policies recommended for final adoption by virtue of the April 2010 Council agenda and minutes. Additional copies can be provided if required and will be readily available at today's meeting. For the sake of paper wastage the policies have not been repeated as part of this report.

The one policy recommended for amending (fencing) has been updated and is per Attachment 3.

**STATUTORY ENVIRONMENT:**

Shire of Nannup Local Planning Scheme No.3 Clause 2.4 and Local Government Act 1995 s2.7.

**POLICY IMPLICATIONS:**

The proposed Local Planning Policies have been reviewed in light of the comments made during the public consultation period. There is some change recommended to LPP 007 Special Rural Zone Fencing Standards Policy (Attachment 3).

The proposed changes do not conflict with Council's statutory obligations inclusive of Local Planning Scheme No. 3, Local Planning Strategies and Local Laws.

**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:**

Council's 2010/11 – 2014/15 Forward Plan Action Item 10.2 (D) notes Council's desire to ensure compliance with Local Planning Scheme 3 and associated legislation. The final adoption of these policies will enshrine them in the legislative framework of the scheme, a position that has been strived for quite some time.

**RECOMMENDATION:**

That Council adopt the following Local Planning Policies:

- a. LPP 003 Installation of Standard Crossover Policy.
- b. LPP 004 Bed and Breakfast Policy.
- c. LPP 007 Special Rural Zone Fencing Standards Policy (Attachment 3).
- d. LPP 009 Relocated Dwellings Policy.
- e. LPP 011 Development in Flood Prone Areas Policy.
- f. LPP 012 Chalet Development Policy.
- g. LPP 013 Car Parking Policy.
- h. LPP 014 Mobile Shop/Temporary Premises/Street Stalls.
- i. LPP 016 Overflow Camping Areas.
- j. LPP 018 Sign Policy
- k. LPP 002 Private Stormwater Drainage Connections to Council's Drains Policy.
- l. LPP 005 Consultation Policy.
- m. LPP 006 Standard Development & Subdivision Conditions and Grounds for Refusal Policy.
- n. LPP 008 Nannup Main Street Heritage Precinct Policy.

**VOTING REQUIREMENTS:**



**SHANE COLLIE  
CHIEF EXECUTIVE OFFICER**

## SCHEDULE OF SUBMISSIONS

### Shire of Nannup Local Planning Scheme No. 3 – LPP007 - Fencing Standards, comments close 11 June 2010

No	Ref	Name	Address of Submitter	Suburb	Date rec'd	Summary of Submissions
1	427	Cr & Pa Langridge	35 Hovea Plave	Jalbarragub WA 6275	19-May	Property is unfenced. No intention of installing fencing. Policy seems to be ok
2	430	David Hainsworth	Lot 45 Lesaenaulta Drive	Jalbarragub WA 6275	19-May	Request the inclusion of the use of a traditional post and rail fence comprising of timber posts with a timber top & bottom rail set into the posts.
3	433	Geoff Conventry	Lot 7 Chalwell Road	Carlotta WA 62753	20-May	Supportive of the proposal for boundary fencing, however feels item 4, is an unwarranted intrusion on private property & creates another unnecessary bureaucratic procedure.
4	444	Alister Broughton	Lot 16 Denny Road	Jalbarragub WA 6275	24-May	Height of 1-1.3m is inadequate to keep kangaroos out, a minimum of 1.5-2 is required. Ringlock will not keep out rabbits, wire netting is required. Request more flexibility and less regulation would serve the rate payers better. Fence construction should be able to reflect the requirements of the owner to keep in or out of their property their stock, native or feral animals whilst remain in keeping with the amenity of the area.
5	454	J & P Flint	4 Jakeman Drive	BUDERIM QLD 4556	27-May	Support the special rural fencing standards policy
6	471	Phil Collins	PO Box 44	Nannup WA 6275	1-Jun	Fencing of a sufficient height is necessary to keep out kangaroos.
7	475	Max & Laurel Barton	22 Frankland Drive	JANE BROOK WA 6056	1-Jun	In the Jalbarragub area there are few fences as most feel no need for them. No stock is kept and thus no need for them. Fencing would restrict the use of a fire access track on our property from one side to the other.
8	476	Ashley Kidd	PO Box 322	Nannup WA 6275	1-Jun	It is not stated whether this policy is to be retrospective or not. Some of fencing exceeds the 1.3m height restriction and remedial works would be required to meet this standard.
9	483	Mike Piper	Lot 33 Johnston Road	Nannup WA 6275	2-Jun	A policy can help keep a rural fencing theme however further thought needs to be put into the standards. 1. The use of steel strainer sets should be allowed as well as wooden poles. 2. Strands of barbed wire should be included as a suitable material. 3. The height is restrictive if residents wish to keep kangaroos out. Advice from DEC that a seven foot fence is required to do the job and I feel it would not detract from the landscape. Deer fences are around the south west at this height and look quite acceptable. 4. Electric fences should be at the owners discretion.

## SCHEDULE OF SUBMISSIONS

### Shire of Nannup Local Planning Scheme No. 3 – LPP007 - Fencing Standards, comments close 11 June 2010

No	Ref	Name	Address of Submitter	Suburb	Date rec'd	Summary of Submissions
10	490	Rob Taylor	PO Box 147	Nannup 6275	3-Jun	Request 4-6 strand wire. Is barb wire ok? Would like to see boundary fence height increased to 1.5m so as to be able to keep kangaroos out of property. Also enable use of animal wire netting to be installed over ringlock so as to keep rabbits/vermin out. Need some flexibility on fence height (keeping of goats, etc). Maybe individual application to Council for keeping of livestock which requires higher fences (deer,goats,etc)
11	500	Bob Longmore	15 Blackwood River Dve	Nannup 6275	4-Jun	This policy does not necessarily reflect the current situation regarding fence structures in the area of Blackwood River Drive. Plain wire fencing provides no deterrent or hindrance to a kangaroo determined to jump the fence and barbed wire is only a partial deterrent. It must be placed at a suitable height above the natural ground level to have a chance or working.
12	506	Lindsey Blackburne-Kane	230 Odin Road	Stirling 6021	9-Jun	a What about stone walls? What about post and rail? b 1.3m is not high enough if all or part of a property is being fenced to contain or obstruct kangaroos, it would need to be slightly higher. c Barbed wire? d Many special rural already use electric fences. Solar battery and mains, ground level for pigs, top lines for horses.

## SCHEDULE OF SUBMISSIONS

### Shire of Nannup Local Planning Scheme No. 3 – LPP08 - MAINSTREET DESIGN GUIDELINES, comments close 11 June 2010

No	Ref	Name	Address of Submitter	Suburb	Date received	Summary of Submissions
1		Mike Heffernan			18-May	No issues with the draft policy
2	443	Matt Noakes	167 Kent Street	Rockingham WA 6168	24-May	Endorse these guidelines. All developments should follow these guidelines, but aspiring builders should be given high levels of input at the preliminary design stages avoiding delays and conflict
3	482	AJ Twiss	PO Box 59	Nannup WA 6275	2-Jun	Strongly support the recommendation for adoption of the policy. An area that is of concern and should be considered under the proposal is the growing tendency within the town for "ICONS" to be erected with no public consultation and little regard for their aesthetic or artistic value. These have proliferated on the foreshore but are appearing in the main street area as Statues, artifacts and information signage. Nannup's appeal to visitors and residents is its historic country town atmosphere created by the retention of a large number of its earlier buildings with the occasional open spaces and lack of stark commercial advertising. To retain this appeal we need to do little other than maintain the upkeep and maintenance of the buildings and surrounds. The addition of "Interpretive Signs", "Tin or wood Statues" or "Works of Art" only serve to place Nannup in the same category of the other thousands of towns throughout Australia continually chasing government grants for further tourist gimmicks.
4	511	David Prater	Warren Road	Nannup WA 6275	9-Jun	Fully support





<b>Policy Number:</b>	LPP.007
<b>Policy Type:</b>	LOCAL PLANNING POLICY
<b>Policy Name:</b>	Special Rural Zone Fencing Standards Policy
<b>Policy Owner:</b>	Manager Development Services

Authority

Shire of Nannup Local Planning Scheme No.3

**Objectives:**

1. This policy aims to direct persons who wish to erect fencing in the areas zoned special rural under the Shire of Nannup Local Planning Scheme No.3 with a view to retaining a rural fencing theme.

**Definitions:**

**Fence:** An enclosure or barrier abutting a roadway, street or boundary line of adjacent property.

**Location:**

2. This policy has effect on boundary fencing on Special Rural properties only.

**Policy:**

3. The MINIMUM standard of boundary fencing permitted is as below:
  - (i) Fences in are to be of a minimum of five (5) plain wire construction unless written approval from Council has been received for a fence of a lesser standard.
  - (ii) When clearing fence lines abutting Council's road reserve, persons undertaking the clearing are not to clear more than 2 metres into the road reserve from the surveyed property boundary. Road reserves are to be left free of all cleared material, which shall be contained, on the owner's property.
  - (iii) The use of electric fencing systems is permitted but not as a substitute for item (i), and suitable warning signs are to be placed in prominent positions on the fence at regular intervals on all boundary fences that are electrified. All electric fencing systems must be of a type approved by Western Power.
  - (iv) The electrification of barb wire fences is not permitted.
  - (v) Owners of special rural properties shall ensure that the fence they construct is sufficient to contain the animals/stock on the property, and where the type of

stock kept is varied through changing circumstances, the fence should be maintained to a standard suitable for the stock kept at that time.

**4. Fencing Around Dwelling Buildings:** In addition to the standard prescribed for boundary fencing, solid fencing such as Netascreen<sup>®</sup>, Super Six<sup>®</sup>, timber pickets, stone or brick is permitted only when the Development Services Officer (or the person acting in that capacity) determines that it will not affect the amenity of the area.

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Related Policies

Related Procedures/  
Documents

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**DELEGATION LEVEL** CEO, CEO to Manager Development Services, Building Surveyor

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Adopted:	OM 26 <sup>th</sup> August 1999
Reviewed:	

AGENDA NUMBER: 10.2  
SUBJECT: Food Businesses Planning Requirements  
LOCATION/ADDRESS: N/A  
NAME OF APPLICANT: N/A  
FILE REFERENCE: HLT 26  
AUTHOR: Bob O'Sullivan, Planner  
DISCLOSURE OF INTEREST: NIL  
DATE OF REPORT: 30 June 2010

Attachment: Zoning Table "food business" & "primary food production".

## BACKGROUND

The WA *Food Act 2008* and *Food Regulations 2009* are for the safety and suitability of food for human consumption. There are two definitions of food activities, *Food Business* and *Primary Food Production*. Any person carrying out a "food business" must notify the local government and have a certificate of registration. The Act makes local government the enforcement agency for a food business, animal food processing premises and retail pet meat shop.

Planning Approval through the Local Planning Scheme must also be obtained. In the past, some food activities, now called "food businesses", were given Planning Approval as a "home business" or "home occupation".

### Purpose of this agenda item:

The activities in the 2 definitions *food business* and *primary food production* are also in 34 definitions of land use in Council's Local Planning Scheme. The purpose is to amend the text in the Local Planning Scheme by:

- adding the 2 definitions *food business* and *primary food production*,
- by removing some existing land use definitions that will be redundant and
- by adding some existing definitions to the Zoning Table.

### Definitions: Food Act 2008

S10, "**food business**" means a business, enterprise or activity (other than a business, enterprise or activity that is primary food production) that involves

—  
(a) the handling of food intended for sale; or

(b) the sale of food,

regardless of whether, subject to section 6, the business, enterprise or activity concerned is of a commercial, charitable or community nature or whether it involves the handling or sale of food on one occasion only.

S11, "**primary food production**" means the growing, raising, cultivation, picking, harvesting, collection or catching of food, and includes —

- a. *the transportation or delivery of food on, from or between the premises on which it was grown, raised, cultivated, picked, harvested, collected or caught;*
- b. *the packing, treating (for example, washing) or storing of food on the premises on which it was grown, raised, cultivated, picked, harvested, collected or caught;*
- c. *the storage of food in a silo that is not connected with a food processing operation and the transportation or delivery of food from, between or to such silos;*
- d. *the sale of livestock at saleyards and the transportation of livestock to and from saleyards; and*
- e. *any other food production activity that is regulated by or under an Act prescribed by the regulations for the purposes of this subsection.*

### **Definitions in Schedule 1 of the Local Planning Scheme**

Thirty-four (34) defined land uses in Schedule 1 relate to a food activity. They are within the meaning of Primary Food Production or Food Business as follows:

- a. *agriculture – extensive, agriculture – intensive, aquaculture, cluster farming, animal husbandry, hobby farm, piggery, poultry farm, stock and sale yard, winery* (these 10 land uses are each **Primary Food Production**),
- b. *abattoir, convenience store, fast food outlet, home store, industry, industry – general, industry – light, industry – noxious, industry – rural, industry – service, lunch bar, market, market garden, milk depot, plant nursery, restaurant, roadhouse, rural pursuit, shop, stall - general, stall – wayside, storage units or yard, tearooms, warehouse* (the 24 land uses are each **Food Business**).

### **COMMENT:**

The 17 uses in *italics* above are in the Zoning Table. The other 17 defined uses, not in *italics*, are not in the Zoning Table, for reasons not known. A "winery" is a Food Business if there are sales to the public.

### **Conclusion**

The 17 definitions that are not in the Zoning Table are no aid for the Local Planning Scheme at present. Four could be added to the Zoning Table, to make them enforceable, and 13 deleted from Schedule 1 Definitions as follows:

- Add the 4 land use definitions "*aquaculture, industry – noxious, piggery and poultry farm*" in Schedule 1 to the Zoning Table as these land uses may have local environmental impacts,
- Delete the 13 definitions of land use "*cluster farming, animal husbandry, hobby farm, convenience store, fast food outlet, home store, industry, lunch bar, market garden, milk depot, stall - general, stall – wayside, tearooms*" from Schedule 1 as they are not in the Zoning Table, have not been used in the Local Planning Scheme and are within the meaning of either Primary Food Production or Food Business,

The 17 definitions in both Schedule 1 and the Zoning Table which may in some situations duplicate either Primary Food Production or Food Business are:

- *agriculture – extensive, agriculture – intensive, stock and sale yard, winery* (4 definitions within Primary Food Production),
- *abattoir, industry – general, industry – light, industry – rural, industry – service, market, plant nursery, restaurant, roadhouse, rural pursuit, shop, storage units or yard, warehouse* (13 definitions within Food Business).

These 17 definitions can remain unaltered with the possibility that some, such as *agriculture – extensive, agriculture – intensive, winery, and restaurant, rural pursuit, shop*, may be replaced by Primary Food Production and Food Business.

#### **STATUTORY ENVIRONMENT:**

Planning and Development Act 2005  
Local Planning Scheme No3  
Food Act 2008  
Food Regulations 2009

#### **POLICY IMPLICATIONS:**

The recommendation below will help staff to handle applications to Council for "food business" and "primary food production" under the Food Act and the Local Planning Scheme. It will not affect existing permitted food activities.

**FINANCIAL IMPLICATIONS:** Cost of public consultation and gazettal.

#### **STRATEGIC IMPLICATIONS:**

Council's Local Planning Scheme aims to achieve order in the distribution of land uses so that infrastructure is provided efficiently, adjoining land uses are compatible and products are made available where they are needed by the public.

**RECOMMENDATION:**

That Council resolve to amend Local Planning Scheme 3 by:

1. adding to Schedule 1 -Definitions the definitions of "*food business*" and "*primary production*",
2. adding to the Zoning Table in Part 4 the land uses of "*food business*" and "*primary production*",
3. adding to the Zoning Table in Part 4 the land uses of "*aquaculture, industry – noxious, piggery and poultry farm*", and
4. deleting from Schedule 1 - Definitions the definitions of "*cluster farming, animal husbandry, hobby farm, convenience store, fast food outlet, home store, industry, lunch bar, market garden, milk depot, stall - general, stall – wayside, tearooms*".

**VOTING REQUIREMENTS:**

**BOB O'SULLIVAN  
PLANNER**

**RESOLUTION DECIDING TO AMEND  
A TOWN PLANNING SCHEME**

**SHIRE OF NANNUP LOCAL PLANNING SCHEME 3**

RESOLVED that the Council, in pursuance of Part 5 of the Planning and Development Act 2005, amends the above Town Planning Scheme by:

1. adding to Schedule 1 -Definitions the definitions of "*food business*" and "*primary production*",
2. adding to the Zoning Table in Part 4 the land uses of "*food business*" and "*primary production*" in Attachment 1,
3. adding to the Zoning Table in Part 4 the land uses of "*aquaculture, industry – noxious, piggery and poultry farm*" in Attachment 1, and
4. deleting from Schedule 1 - Definitions the definitions of "*cluster farming, animal husbandry, hobby farm, convenience store, fast food outlet, home store, industry, lunch bar, market garden, milk depot, stall - general, stall – wayside, tearooms*".

Dated this.....day of.....20.....

.....  
(Chief Executive Officer.)

**Amendment to Zoning Table in Part 4**

	<b>AGRICULTURE</b>	<b>AGRICULTURE PRIORITY 1 – SCOTT</b>	<b>AGRICULTURE PRIORITY 2</b>	<b>CLUSTER FARMING</b>	<b>COASTAL LANDSCAPE</b>	<b>INDUSTRY</b>	<b>MIXED USE</b>	<b>RESIDENTIAL</b>	<b>SPECIAL RESIDENTIAL</b>	<b>SPECIAL RURAL</b>	<b>TOWN CENTRE</b>
Aquaculture	A	A	A	A	X	X	X	X	X	X	X
industry – noxious,	X	X	X	X	X	A	X	X	X	X	X
Primary Food Production	P	P	P	P	P	X	X	X	X	P	X
Food Business	D	D	D	A	D	A	A	X	X	X	D
Piggery	A	A	A	X	X	X	X	X	X	X	X
poultry farm	A	A	A	A	X	X	X	X	X	X	X

# **FINANCE &** **ADMINISTRATION**

AGENDA NUMBER: 10.3

SUBJECT: Bridgetown Regional Water Supply Scheme (BRWSS)

LOCATION/ADDRESS: Thomas Road

NAME OF APPLICANT: Water Corporation

FILE REFERENCE: DEP 23

AUTHOR: Shane Collie – Chief Executive Officer

DISCLOSURE OF INTEREST:

DATE OF REPORT: 12 July 2010

Attachments:           1.     Letter from Water Corporation.  
                              2.     Information Sheet – Water Corporation.  
                              3.     Letter from Trevor and Suzanne Hay.

## **BACKGROUND:**

Council members were circulated with Attachment 2 on 30 June 2010 introducing the Water Corporation's intention to make improvements to the Bridgetown Regional Water Supply Scheme.

The matter has progressed to a point where the Corporation have produced an Information Sheet on the proposed scheme upgrade which is per Attachment 2. Council is also in receipt of a letter of objection from Trevor and Suzanne Hay who live approximately 500 metres from the Thomas Road bore site. It is also understood that Ms Bee Winfield who lives close to the site has similar objections relating to proposed works at the Thomas Road site.

A meeting was held with the Water Corporation on Friday 9 July 2010 concerning this matter with Council members advised of its scheduling.

## **COMMENT:**

The purpose of this report is twofold. Initially to advise Council of the latest developments in respect of the scheme, and secondly to ascertain if Council wishes to take a position on any aspect of the proposed scheme upgrade.



### **Millstream Dam**

The Water Corporation are looking at increasing the capacity of Millstream Dam from 0.45 gigalitres to 1.0 gigalitres. Millstream Dam is not located in this Shire and hence Council has no formal approval role or considers any planning approval for any such works. Part of the catchment area of the dam is in this Shire and it is unclear whether this brings Council into a formal approval process for any works to the dam. This will be determined in due course.

Council has previously supported the Bridgetown Water Supply Scheme (which would include improvements to Millstream Dam) as a matter of principle being access to water for regional needs. This position remains unchanged and is considered as given.

### **Water Treatment**

The BRWSS has a water treatment regime in place at Millstream Dam which sees Iron and Manganese removed from the water through naturally occurring oxidation. This is in respect of water pumped from the Nannup bore site in Thomas Road. When the dam is being upgraded the natural oxidation process will not be able to be undertaken and to allow continuity of water supply an alternative treatment must be undertaken.

It is understood that chlorination is the preferred treatment option. It is noted that some form of chlorination already takes place to scheme supplied water now, including at Nannup where the Tanjanerup Dam Water is treated at the Dunnet Road site. Hence water chlorination is not a new concept for the BRWSS.

The estimated time that Millstream Dam would be "offline" is between one and two years commencing in the first half of calendar year 2011.

While not yet finalised, the Water Corporation have indicated a preference to construct a chlorination plant at the Nannup bore site to meet that "offline" lack of storage time as well as permitting future chlorination if required at the point closest to the water source. Should the Nannup water supply eventually come from this bore, which is expected, the same situation would apply.

An unknown question at the moment is where the optimal point to treat water would be, either close to the source, somewhere along the pipeline route, at one of the dam sites or at a point closer to the customer. It is understood, but yet to be confirmed, that chlorination closest to the customer is the more effective way to ensure that contaminants are not in the water due to the treatment occurring after or near to the end of pipeline infrastructure.

### **Water Treatment Infrastructure - Location**

This appears to be the main issue of contention as raised by Trevor and Suzanne Hay. The objection is based on locating a treatment facility at the Nannup bore site. The Water Corporation have not yet definitively determined what form of treatment would be undertaken at the site however as pointed out by Mr and Mrs Hay chlorine and sodium hypochlorite have been mentioned. These chemicals were also raised in discussions with the Water Corporation at the meeting held on 9 July 2010.

Hence the issue appears to not be chlorination of a water supply perse, which is already occurring, but the impact of a treatment plant on local residents specifically in terms of environment, potential hazard, competing land uses and specific impacts such as noise and aesthetics. As Mr and Mrs Hay point out as local residents none of these impacts, potential or otherwise, existed at the time they invested in the area, and further at this stage Mr and Mrs Hay and other Nannup residents are not even supplied with water from the bore. Their objection is hence understood.

The Water Corporation Information Sheet, Attachment 2, contains a statement toward the bottom of page 2 as follows:

*"This includes a requirement for a treatment facility at the Nannup bore site."*

This is misleading. If a treatment facility is needed, it does not *have* to be at the Nannup bore site which is the point that the Mr and Mrs Hay are making.

### **Consideration of Issues Associated with the Thomas Road Site**

The Water Corporation have correctly pointed out that locating a treatment plant at the Thomas Road site is the best option for a variety of reasons including:

- Cost (The Corporation already owns the land and infrastructure at the site).
- Access to services such as power – already set up.
- Point of treatment – All water can be treated immediately and to the same standard for all of the communities serviced by the bore, including Nannup in the future if brought into the scheme.
- The treatment plant once in will permit continuity of supply during the Millstream Dam upgrade and serves as a back up for any other repair/emergency events both during the upgrade and on an ongoing basis.
- Access, space and security issues are assumed to be easier at the Thomas Road site.

The logical conclusion to draw from the above is that the Water Corporation wish to utilise the least expensive and most convenient option to locate the water

treatment plant. This is entirely understandable and the Water Corporation representative acknowledged this at the meeting held 9 July 2010 indicating that they have to be accountable in terms of maximising the Corporation's investment in infrastructure.

What the reasoning above does not consider and as pointed out by Mr and Mrs Hay is that concerns of local residents appear to be lower on the list of criteria to satisfy. The Corporation have had some initial discussions with nearby residents however have indicated that as their proposal is not yet finalised it is very difficult to properly consult. One would think that when the proposal is finalised it would be too late to consult.

In summary it is for Council to determine if it wishes to adopt a position on the matter. Notwithstanding that Council has a formal Planning Approval role if/when a development application is received, it is recommended that Council adopt a conservative approach and not support a treatment plant at the Thomas Road bore site as a matter of principle while nearby residents have genuine concerns that the Water Corporation appear unable to address at this point in time.

**STATUTORY ENVIRONMENT:** Nil.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:** Nil.

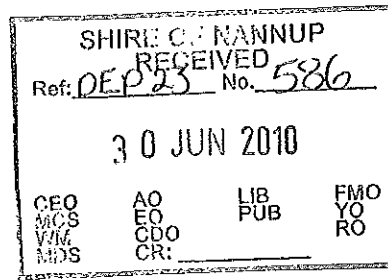
**RECOMMENDATIONS:**

1. That Council advise the Water Corporation and the community of Nannup that as a matter of principle and without any prejudice in respect of any Planning Approval Application that may be received, that it opposes a Water Treatment Plant to be located at the Thomas Road bore site while issues including but not limited to chemical impact (potential or actual, inclusive of environmental and hazard), land use, noise and aesthetics have not been adequately addressed.
2. That Council request that the Water Corporation genuinely consult with neighbouring property owners in the Rinns/Thomas Road area in respect of any proposal to construct a Water Treatment Plant in that vicinity, prior to any proposal being finalised.
3. That Council request the Water Corporation to genuinely consider other locations either along the current pipeline route or in the vicinity of Millstream Dam as potential sites for a proposed Water Treatment Plant for the BRWSS.

**VOTING REQUIREMENTS**

A handwritten signature in black ink, appearing to read 'Shane Collie', with a stylized, cursive script.

**SHANE COLLIE  
CHIEF EXECUTIVE OFFICER**



Mr Shane Collie  
CEO  
Shire of Nannup  
Po Box 155  
Nannup WA 6275

Monday, 21 June 2010

Dear Shane

South West Region  
3rd Floor, Bunbury Tower  
61 Victoria Street, Bunbury 6230

PO Box 305  
Bunbury 6231  
Western Australia

Tel (08) 9791 0400  
Fax (08) 9791 2280

I am pleased to provide an update on the development of the Bridgetown Regional Water Supply Scheme. [www.watercorporation.com.au](http://www.watercorporation.com.au)

As you would be aware, work began on the Scheme in 2007, with the groundwater component of the Scheme delivered in 2009.

Since 2008, detailed technical and environmental investigations have been under way at Millstream Dam. These investigations are now advanced and indicate that the proposed capacity upgrade of the Millstream Dam, from 0.45 Gigalitres to 1.0 Gigalitres, will provide a robust and sustainable primary source and central storage point for the Scheme. Subject to acceptance of our proposal by regulators, work would begin in late 2011, with an estimated completion date late in 2012.

In parallel to this work, we continue to work with stakeholders and landowners to optimise routes for the pipelines required to link the seven towns. Development of the pipelines will be staged, with all pipelines anticipated to be complete by 2015.

Over the coming months we will create opportunities to discuss the results of these investigations with the community. Interested parties will also have an opportunity for involvement through the relevant regulatory assessment processes.

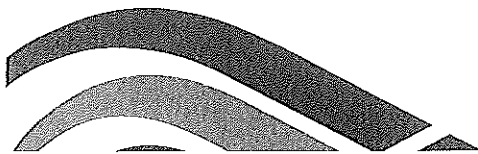
Please find enclosed an information sheet, which will soon be made available to local community members.

Should you wish to arrange a more detailed briefing, please contact me on 9791 0466, or by email: [scott.moorhead@watercorporation.com.au](mailto:scott.moorhead@watercorporation.com.au).

Alternatively, further information can be found at [www.watercorporation.com.au](http://www.watercorporation.com.au).

Yours sincerely

Scott Moorhead  
Regional Business Manager  
Water Corporation  
South West Region





## Securing Your Water Future

The Water Corporation is working to secure the drinking water needs of your community out to 2050. Below is an update on progress of the Bridgetown Regional Water Supply Scheme.

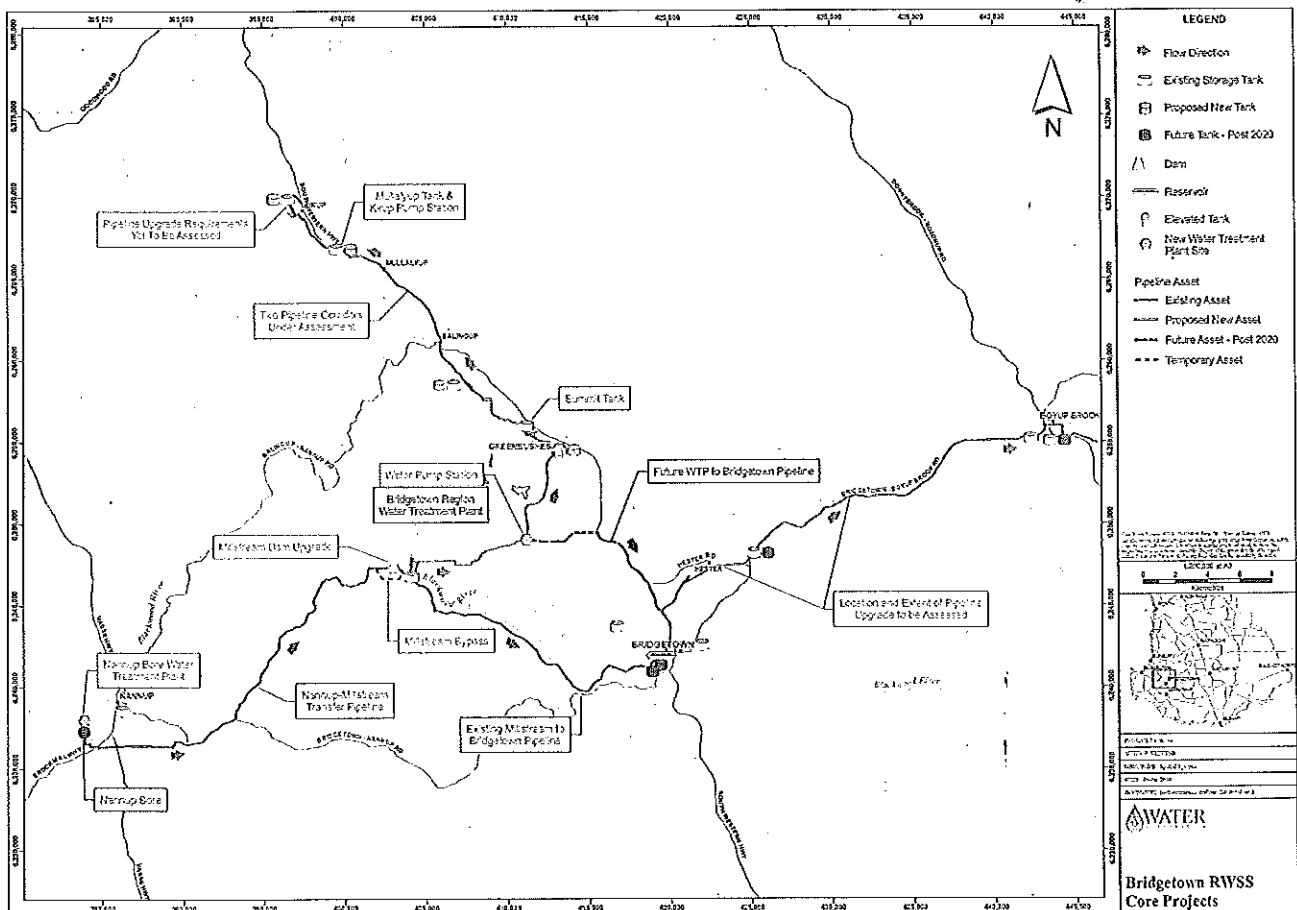
### The Bridgetown Regional Water Supply Scheme

In 2007, work began on a new drinking water scheme to secure supply and improve water quality for Bridgetown, Boyup Brook, Hester, Greenbushes, Balingup, Mullalyup and Kirup. The scheme combines surface and groundwater sources to provide reliability and sustainability. Many of you were involved in the planning of the Scheme during 2005 and 2006.

The groundwater component of the Scheme, a bore into the Yarragadee Aquifer near Nannup, was completed in 2009 and is being used to boost supply to Bridgetown, Boyup Brook and Hester, via Millstream Dam when needed.

In discussion with affected landowners and relevant regulators, we are continuing work to determine the most suitable route for pipelines to link the remaining four communities to the Scheme.

Detailed investigations are nearing completion for the proposed upgrade of Millstream Dam which, subject to the acceptance of regulators, would create the Scheme's central source and storage point.



### Millstream Dam Upgrade

Upgrading Millstream Dam's capacity from 0.45 Gegalitres to 1.0 Gegalitres will allow us to capture more water during wet years, and provide enough storage to meet community needs during drier years.

As part of detailed investigations undertaken over the last two years, we have worked to develop a proposal that minimises environmental impact.



## **Groundwater**

Since 2009, the Nannup Bore has been used intermittently to boost storage for the Scheme. When the bore was commissioned, Millstream Dam had reached a record low of four per cent full, rendering it unusable.

In 2009, the Department of Water (DoW) issued the Water Corporation an initial license to abstract up to 0.6 GL per year from the bore, to meet immediate demand.

By 2040, we expect local towns to need up to 3.0 GL of groundwater during very dry periods, with much less required during 'normal' periods. That is, depending on rainfall, the Scheme may need up to 3.0 GL of groundwater in some years, and no groundwater at all in other years.

We expect that over any 10-year period, this will 'balance out' to an average groundwater requirement of about 0.6 GL per year.

The limit set for our groundwater license necessarily reflects the maximum abstraction allowed in a given year. So, in order to secure supply, we need a license that caters for the 'driest' year, rather than an 'average' year. Accordingly, to meet the communities' projected 'dry-year' demand out to 2040, the Corporation applied to DoW to increase our license limit to 3.0 GL a year.

The DoW has since advised us that, initially, it will consider a license for projected demand out to 2015 only. Water needs beyond 2015 will be assessed by DoW at a later stage.

The Water Corporation anticipates that up to 1.1 GL of groundwater will be needed to meet the communities' 'dry-year' demand out to 2015.

Over the coming months, we will assist the DoW, where required, as they work to determine a suitable five-year allocation for the Scheme. There will be an opportunity for you to comment as part of DoW license application assessment process.

Any approved abstraction for the Scheme would form a portion of the water that DoW has set aside for 'public water supply' in its *South West Groundwater Areas Allocation Plan*.

## **Pipelines**

Pipeline routes are now being investigated to ensure all seven towns are supplied by the Scheme.

We have broadly identified preferred pipe route corridors, based on avoiding areas of environmental sensitivity and privately-owned land, where feasible. We are now talking to landowners and regulators to determine suitable arrangements where privately-owned land or vegetation may need to be traversed.

When finalised, the pipe routes proposed will be subject to regulatory acceptance prior to commencement of any works.



## Indicative Asset Delivery Schedule

The dates shown for the various BRWSS components are indicative only: Future projects resulting from the implementation of the BRWSS may potentially form separate referrals to environmental regulators at the appropriate times.

<b>Scheme Asset</b>	<b>Estimated Delivery Date</b>
<b>Millstream Dam Raising</b>	<b>2011 / 2012</b>
<b>Nannup Water Treatment Plant</b>	<b>2011</b>
<b>Millstream Bypass Pipeline</b>	<b>2011</b>
<b>Bridgetown Regional Water Treatment Plant Site</b>	<b>Tank and Pump Station – 2013</b>
<b>Interconnecting Pipelines</b>	<b>2015 (anticipated)</b>

### Future components

Future conceptual components of the Scheme will be developed in a staged approach, in accordance with growth of the seven communities. Currently, it is estimated that further storage and source development will not be required until after 2050. Detailed planning for these components will be undertaken closer to the time.

Demand management is a key aspect of the Corporation's climate resilience model, and water efficiency compliance measures will continue to be complemented by educational initiatives and partnerships. Communities in the Bridgetown area are commended for embracing water conservation efforts to date.

### Bridgetown Regional Water Treatment Plant (circa 2020)

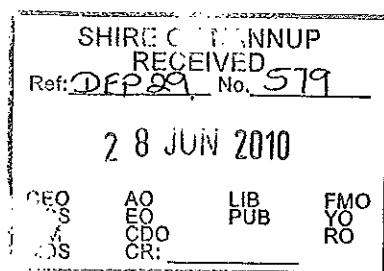
Options have been identified to appropriately site a new water treatment plant that will treat water from the raised Millstream Dam to meet future requirements of the Scheme. Although the plant will be required around 2020, the Corporation aims to conclude investigations and secure the preferred site by 2011.

### Your input is important

As we finalise our investigations, we will create opportunities for community members to discuss the results with us. Your feedback and local knowledge will help us to ensure we have a suitable way forward.

Additionally, the environmental regulators will include opportunities for consideration of community feedback, where appropriate. We expect to provide investigation results to regulators during the second half of 2010.

Meanwhile, further information and background about the Bridgetown Regional Water Supply Scheme can be found at [www.watercorporation.com.au](http://www.watercorporation.com.au), or call Regional Communications Coordinator Mick Irving on 9791 0409 if you have queries.



Suzanne Hay  
 Lot 71 Rinns Road  
 PO Box 352  
 Nannup WA 6275

Home: 08 9756 1772

Mob: 0447 537 365

suzannehay@gmail.com

Monday 28 June 2010

The President  
 Shire of Nannup  
 15 Adam Street  
 NANNUP WA 6275

Dear Ms Dunnet

### Thomas Road Treatment Plant

I refer to our letter to the Hon Terry Redman MLC dated 24 June 2010, a copy of which we forwarded to you. I confirm that we are opposing the installation of a water treatment plant at the site of the Yarragadee bore

We moved to Nannup in early 2008 when the work at the bore was largely complete.

Accordingly, we are seeking to gather as much information as possible pre-dating our arrival in Nannup. In particular we are looking for representations made by the Water Corporation regarding the proposed use of the bore and the site.

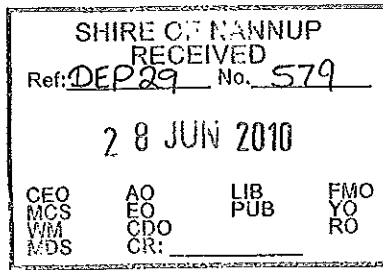
We did attend one meeting at the Shire when Louise Stokes was taking notes. I would appreciate a copy of notes of any meeting with the Water Corporation and any other documents which you may consider relevant.

We will pay for the Shire's reasonable photocopying fees. Alternatively, I am happy to attend at the Shire's office and do the photocopying if I can be provided with the relevant documents.

I look forward to hearing from you.

Regards

  
 Suzanne Hay



Lot 71 Rinns Road  
PO Box 352  
NANNUP WA 6275

Phone: 08 9756 1772

[tdhay@westnet.com.au](mailto:tdhay@westnet.com.au)

24 June 2010

Hon Terry Redman, MLA  
Member for Blackwood – Stirling  
PO Box 61  
MOUNT BARKER WA 6324

**For Information:**

Minister for Water  
PO Box K822  
PERTH WA 6842

Chairman  
Water Corporation of WA  
PO Box 100  
LEEDERVILLE WA 6902

Chairman  
Environmental Protection Agency  
Locked Bag 33  
Cloisters Square  
PERTH WA 6850

The President  
Shire of Nannup  
Adam Street  
NANNUP WA 6275

Dear Mr Redman

**RE: PROPOSAL TO INSTALL A WATER TREATMENT PLANT AT THE  
YARRAGADEE BORE SITE, THOMAS ROAD, NANNUP**

We write to bring to your attention and seek your assistance in having the Water Corporation reverse its decision to install a water treatment plant at the site of its Yarragadee bore at Thomas Road, Nannup.

## **Background**

The Yarragadee bore is located approximately 500 metres from our house. We can see it and we can hear it when it is running. We knew it was there when we bought the property in 2008, but were fairly sanguine about it as we were informed that construction was just about completed and that its limited operation would have minimal impact on us.

On Friday 18 June 2010 we received a phone call from the Water Corporation seeking a meeting to discuss the requirement to install a treatment plant at the bore site. On Tuesday 22 June 2010 three Water Corporation staff visited our house and explained that:

- Millstream dam needed to be drained for urgent repairs;
- The towns that the dam served would have to receive their water direct from the Yarragadee bore until the dam was repaired (approximately 12 months);
- The water would need to be treated;
- A temporary treatment plant would be sited at the Thomas Road bore site and
- The plant would not be removed on completion of the repairs to the dam.

They further explained that they wanted to consult with landowners who might be affected by the treatment plant.

## **Consultation**

There has been **NO** consultation about this proposal. The siting of the treatment plant at the bore was presented as a fait accompli by the Corporation staff at our meeting and 'consultation' was limited to seeking to ameliorate the impact of the construction and operation on us. When asked if other sites had been considered, they told us that they had, but were rejected for reasons that they did not know. They did undertake to provide us with more information in that regard.

## **Our Position**

When we moved to Nannup we soon became aware of the active and vocal opposition to the whole concept of the Yarragadee bore. We did not join this as we felt that the requirements of the wider community (ie – the need to provide water to other towns in the area) were more important. Indeed we thought some of the conspiracy theories being bandied about were a bit far fetched. The Corporation's actions, however, appear to be vindicating the proponents of those theories. It is not too great a leap of imagination to suggest that if the 'temporary' measures detailed above are successful, then they could become permanent.

It would appear that the Corporation has taken the easy option in selecting the bore site for the treatment plant: it owns the site; it has space to place the plant; there is easy access and it is probably easiest to treat the water at source. The impact on people in the vicinity, however, does not appear to have been considered. At the

meeting Corporation staff stated that chemicals such as chlorine and sodium hypochlorite could be used in treating the water. We are, therefore, facing the prospect of having dangerous chemicals being stored at what is effectively the bottom of our garden. Of wider concern is that the proposed site is within a couple of hundred metres of the Blackwood River. Any mishap with the chemicals would have a significant impact on the river.

For us it is all 'downside'. We do not gain nor do we seek any benefit from the operation of the bore, as the water is piped straight past us, but we suffer from the disturbance of any work that is carried out on site. The prospect of having a store of potentially harmful chemicals located so close to our house is a cause for concern. What was supposed to be an idyllic rural retirement is now proving to be less so as our 'neighbour' transforms what was once a paddock into an industrial site.

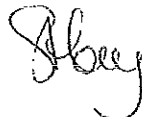
While we accept that water needs to be provided to the towns served by the Millstream dam and that the water needs to be treated, we do NOT accept that the treatment plant should be sited at the bore. There must be other, more remote, sites that could be utilised (eg - near the dam) that will not have the deleterious impact on those who live in the vicinity of the bore.

We need to do more research on this, but the Corporation staff indicated that they will be operating to a tight schedule (work at the dam to commence in October 2011) and we wish to bring this matter to your attention now. We will write to you again as soon as we can provide more information.

Yours sincerely,



Trevor Hay



Suzanne Hay

AGENDA NUMBER: 10.4  
SUBJECT: Request for Donation of Artwork  
LOCATION/ADDRESS:  
NAME OF APPLICANT: Nannup Arts Council  
FILE REFERENCE: ASS 12  
AUTHOR: Shane Collie – Chief Executive Officer  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 12 July 2010

Attachment: Letter from Nannup Arts Council.

**BACKGROUND:**

The artwork "Jagan" purchased last year as the Shire of Nannup acquisitive prize has not yet been placed. It was considered that the piece of art was not suitable for display in a public office therefore it has not been added to those already hanging in the main Council office area. Note this should not detract from the work itself and if there was an alternative suitable location available the painting would be displayed.

Suggestions from elected members as to a location for display were sought in January 2010 however nothing definitive was decided. A Council resolution rather than an opinion from an individual or a few elected members was needed.

The Nannup Arts Council have offered a solution which is detailed in the attached letter.

**COMMENT:**

Art is a subjective matter and the Arts Council letter is anticipated to be the catalyst or prompt for a decision on this future location of the piece.

No objective officer recommendation can be put forward aside from the view that the piece should serve a purpose such as being displayed or donated rather than stored.

**STATUTORY ENVIRONMENT:** Nil.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:**

Council paid \$550 for the piece of Artwork as part of its contribution to Art in the community being the 2009 acquisitive prize. There is no budget impact now as the expenditure was from last year's budget allocation.

**STRATEGIC IMPLICATIONS: Nil.**

**RECOMMENDATION:**

**VOTING REQUIREMENTS**

A handwritten signature in black ink, appearing to read 'Shane Collie', written in a cursive style.

**SHANE COLLIE  
CHIEF EXECUTIVE OFFICER**

# Nannup Arts Council Inc.

ABN: 81 604 855 274  
 PO Box 318 Nannup WA 6275  
 Email: artsnannup@westnet.com.au

8th July, 2010

Shire of Nannup  
 15 Adam Street  
 NANNUP WA 6275

Attn: S. Collie

SHIRE OF NANNUP			
RECEIVED			
Ref:	ASST	No.	622
8 JUL 2010			
CEO	AO	LIB	FMO
MCS	EO	PUB	VO
WM	COO		RO
MDS	CR		

RE: DONATION OF ARTWORK FOR FUND RAISER

Dear Shane

As you are probably aware Nannup Arts Council Inc. is planning an Art Exhibition in conjunction with Festival of Country Gardens event to take place November 5<sup>th</sup> – 7<sup>th</sup> November. We are holding an 'Art Auction' on Saturday 14<sup>th</sup> August 2010 to help raise money, as we have limited resources to run this year's exhibition.

Currently we are seeking donations of artwork for this Art Auction. After initial discussion with the Shire President whilst you were on leave, it has been suggested that Nannup Arts Council Sub Committee approach the Shire to enquire if the artwork "Jagan" by Levi Sanderson could be made available as a donation for the auction. Should this be possible Nannup Arts Council Inc. being a not for profit body, would be extremely grateful to the Shire of Nannup and hope your council will support this request.

We are preparing a catalogue of artworks to be auctioned and would appreciate a response to this request at your earliest convenience. Should you wish to discuss this matter further, please call me on 97 563040.

Yours sincerely,



KERRY ANN LAIDLEY  
 Events Co-ordinator



AGENDA NUMBER: 10.5  
SUBJECT: Risk Management Advisory Committee  
LOCATION/ADDRESS: Nannup  
NAME OF APPLICANT:  
FILE REFERENCE: PSN 9  
AUTHOR: Craige Waddell – Manager Corporate Services  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 13 July 2009

Attachment: Minutes of the Risk Management Advisory Committee meeting of 1 June 2010.

**BACKGROUND:**

The Risk Management Advisory Committee met 1 June 2010.

**COMMENT:**

The attached minutes of the meeting of 1 June 2010 contains two recommendations requiring Council action as follows:

That the attached amended Fitness for Work Procedure be recommended to Council for adoption.

That the attached amended Policy on Threats, Intimidation or Physical Assault against Staff be recommended to Council for adoption.

These policies as contained in the recommendation to this item have been reviewed by staff and the committee and reflect best practice from an Occupation Safety and Health point of view.

**STATUTORY ENVIRONMENT:** Occupation Safety and Health Act 1994.

**POLICY IMPLICATIONS:**

If adopted by Council, the policies as contained in the recommendation to this item will be incorporated into Council's Occupation Safety and Health policy manual.

**FINANCIAL IMPLICATIONS:** Nil

**STRATEGIC IMPLICATIONS:** Nil

**RECOMMENDATION:**

That Council adopt the following policies:

**SHIRE OF NANNUP****Occupational Health And Safety Procedures****Procedure No.XX****FITNESS FOR WORK POLICY****PURPOSE**

The Shire of Nannup is committed to the safety and health of its employees and has a duty of care under the Occupational Safety and Health Act, 1984 to provide a safe working environment. Council recognises that this duty is incumbent on all employees that extends to co-workers and individuals to prevent their safety and health from being jeopardised through an act or omission of an employee who is unfit for work.

**SCOPE**

For the purpose of meeting our duty of care, employees who attend work under the influence of, in possession of drugs and / or alcohol, or being in any other way impaired for work, will not be tolerated by the Shire of Nannup. In order to ensure that this duty is fulfilled, Council has implemented this procedure in the interests of occupational safety and health.

Those who are suspected or found to be under the influence of drugs or alcohol at work, will be submitted for a drug and alcohol test. If the test proves positive, the employee will subsequently be stood down from work without pay.

Those who fail to follow this procedure will be appropriately counselled and depending on the severity of their actions, may also stand the consequence of suspension without pay or instant dismissal.

**RESPONSIBILITIES**

It is the responsibility of the direct supervisor or manager to detect if an employee is displaying signs of impaired work performance.

It is the responsibility of employees to ensure they do not attend work in a manner which will affect their work performance that could endanger work colleagues or members of the public or cause damage to Council equipment.

The Shire of Nannup believes that the health and wellbeing of an employee is of great importance to the organisation. An employee assistance program will be offered in order to support the effected employee.

All matters pertaining to fitness for work will be treated with the utmost confidentiality and any employee of Council who is interested in receiving counselling services should seek approval from their Manager.

### **Definitions**

For the purpose of this policy and procedure, the abuse of alcohol and / or other drugs includes:

- Impaired Work Performance - sudden or gradual deterioration in a person's ability to function appropriately at work.
- Unfit for Work – being impaired for work and therefore unable to perform duties in a safe manner.
- Use – eating, drinking, inhaling, injecting or dermal absorption of any substance or drug.
- Misuse – inappropriate use of a substance on the premise or property, including overdose of a drug or the failure to take a drug in accordance with medical advice.
- Alcohol – Any beverage containing alcohol.
- Drugs – Amphetamines, Cannabinoids THC, Opiates, Barbiturates, Cocaine, Methadone, Benzodiazepines, Alcohol and other narcotics, prescription drugs and non-prescription drugs.
- Substance – any drug that may have adverse effects causing impaired work performance.
- Fatigue – The inability to perform work effectively or safely due to lack of sleep or the adverse effects of medication, alcohol, drugs and / or other substances (including, "hangovers" and/or "come downs").
- Fit for Work – not being under the influence of or affected by the adverse effects of drugs, alcohol or any other substance or not being fatigued.

### **APPLICATION**

#### **Alcohol**

Being under the influence of alcohol will not be permitted whilst working for the Shire of Nannup. Employees who commence work whilst under the influence of alcohol including, working under the adverse effects of alcohol, will be stood down from their duties and taken to the nearest hospital for a blood alcohol test. If a blood alcohol level is deemed to be 0.05 and over, employees will be sent home without pay for the remainder of the day. As the employee will be over the legal limit to drive, alternative transport will be required. Any refusal to submit to testing will be deemed to be a positive result.

If the blood alcohol level is under 0.05, employees will be prohibited to operate machinery, plant or equipment until a blood alcohol content of 0.00 is reached. Sedentary duties will be offered until then.

There may be occasions where alcohol may be included as part of a work function or other recognised work event. Where management has properly approved the consumption of alcohol, employees must continue to behave in a sensible and responsible manner with due care for their own and other people's safety and wellbeing. Failure to behave in a sensible and responsible manner with due care, or any failure to follow any directions given by management with regard to the consumption of alcohol may result in disciplinary action. It is a condition of Council that employees make alternative arrangements to get home. The Shire of Nannup accepts no responsibility for employees during travel to and from the function.

## **Drugs and Prescription Medication**

### ***Illicit Drugs and Other Substances***

Illicit drugs and other substances are strictly prohibited by the Shire of Nannup. Being under the influence of or suffering adverse effects whilst at work will result in disciplinary action and possibly instant dismissal.

If suspected of the above, an employee must undergo a drug screen (paid by the Shire of Nannup).

Refusal to a drug screen may result in instant dismissal.

### ***Prescription and Other Medication***

It is an employee's responsibility to inform their supervisor of any medication they are taking that may cause any adverse effects and impede their working duties. It is also necessary for the employer to record any known allergic reactions to any medication an employee may have (i.e. penicillin).

Any prescription and other medication must be used in accordance with medical advice. Any non-prescription or other medication must be used in accordance with the manufacturer's recommendations.

Failure to follow these requirements will result in disciplinary action, or instant dismissal.

## **Fatigue**

Fatigue can be the result of many different situations. Due to this, this procedure will directly reflect the implications of fatigue through the following external triggers (but are not limited to):

- Lack of sleep
- Voluntary Work
- External work commitments

In the interest of safety and health it is important that employees remain alert and function at full capacity whilst at work. When affected by fatigue, actions may be impaired through lack of concentration and poor judgement, therefore increasing the potential to cause injury or harm to themselves, work colleagues or members of the public.

It is the employers' responsibility to provide a safe place of work for its employees. It is an employees responsibility to report to their supervisors any other work commitments or voluntary commitments outside of their employment with the Shire of Nannup. Depending on the circumstances, Council may agree to come to a compromise with the employee to ensure there is an equilibrium between regular hours worked at workplace, sleep / rest and additional hours worked elsewhere (including paid and voluntary work). If this agreement is reneged by the employee, disciplinary action will result.

If deprivation of sleep is the cause of fatigue due to other external circumstances, a drug and alcohol screen will be required. If positive, disciplinary action will result.

In circumstances where the employee is unfit to remain at work as determined by their employer, the employee will be stood down from work without pay for the remainder of the day.

#### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The Shire of Nannup understands employees may be experiencing difficulties external to work that may influence their behaviour and health whilst at work. To assist with the recovery of the employee, Council has in place a confidential employee assistance program. For the purpose of this procedure, this program may be offered to first offence employees. Otherwise this program will be offered on the second affirmed screening. The Shire of Nannup will offer a total of 3 counselling sessions, if further sessions are required, approval is to be obtained by the Manager.

Employees who have not failed to meet the guidelines of this procedure, and feel an EAP would benefit them due to personal circumstances, may utilise these services on ratification of their Manager. Such employees do not contravene the guidelines of this procedure if they volunteer for the EAP service.

#### **DISCIPLINARY ACTION**

If this procedure is in anyway contravened by an employee the following will result.

## General Guidelines

Any employee who tests positive to an alcohol breath screen, urine screen, or found to be significantly fatigued will be stood down from their work without pay and will not be permitted to resume work until such time as they have proven they are fit for work.

### First Offence:

- (i) The employee will be immediately suspended from duty without pay if found unfit to work.
- (ii) The employee will not be permitted to return to work until they have been tested again and proved negative for all prescribed substances.
- (iii) The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
- (iv) The employee will be counselled by their supervisor that will focus on;
  - a. the unacceptability of the employee's behaviour
  - b. the risk that such behaviour creates for the safety of the individual and other employees or members of the public
  - c. the employee's responsibility to demonstrate that the problem is being effectively addressed;
- (v) The employee will be formally offered the opportunity to contact a professional counsellor. The decision to undertake counselling or other treatment for alcohol or other drug or substance problems is the responsibility of the employee, however is not mandatory.

### Second Offence:

- (i) The employee will be immediately suspended from duty without pay if found unfit for work.
- (ii) The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
- (iii) The employee will not be permitted to return to work until they have been tested again and proved negative for all prescribed substances.
- (iv) The employee will be counselled by their supervisor that will focus on;
  - a. the unacceptability of the employee's behaviour
  - b. the risk that such behaviour creates for the safety of the individual and other employees or members of the public
  - c. the employee's responsibility to demonstrate that the problem is being effectively addressed;
  - d. that any future breach of the policy will result in instant dismissal.

- (vii) The employee will be instructed to contact a professional counsellor. The decision to undertake counselling or other treatment for alcohol or other drug or substance problems is the responsibility of the employee and is mandatory. The employee will be instantly dismissed without notice if found to decline the offer.
- (viii) The employee will be submitted [fortnightly or randomly] for alcohol and / or drug screening for a period of two months paid by the Shire of Nannup. If tests confirm positive, instant dismissal will follow. If the employee refuses to comply, instant dismissal will follow.

**Third Offence:**

- (i) The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
- (ii) The employee will be immediately dismissed from duty without notice.

**Instant Dismissal:**

The following are guidelines to circumstances that will result in dismissal without notice:

- (i) Any attempt to falsify the drug and alcohol screen.
- (ii) Unauthorised consumption of illicit drugs or alcohol whilst on the work site or during the working period.
- (iii) Unlawful behaviour.

**OTHER**

If an employee is found to be heavily intoxicated, above the legal limit to drive, or extremely fatigued and they are to be sent home without pay, it is a requirement of the supervisor to:

- a) Contact the employee's next of kin to arrange pick up.
- b) If next of kin is unable to be contacted or unable to take employee home, make arrangements to get the employee home safely.

**REFERENCE**

- Occupational Safety and Health Act 1984;
- Occupational Safety and Health Regulation 1996, and 2005 amendments;
- AS/NZS 4360: 2004 – Risk Management

<p style="text-align: center;"><b>SHIRE OF NANNUP</b></p> <p style="text-align: center;"><b>Occupational Health And Safety Procedures</b></p> <p style="text-align: center;"><b>Procedure No.XX</b></p> <p style="text-align: center;"><b>THREATS, INTIMIDATION OR PHYSICAL ASSAULT AGAINST STAFF POLICY</b></p>
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1. Preamble

In view of the confrontational nature of some clientele of Council, it has been identified that violence against staff is a hazard in the workplace. As there is a reasonable level of risk of such incidents occurring, management has an obligation to ensure that measures are in place to address and manage this hazard.

To comply with the Occupational Safety and Health Act 1984 in relation to duty of care, as well as in response to physical assaults on a member of staff, the following policy has been implemented.

2. Policy

All clients of Council must be made aware when necessary, through verbal advice given by staff that at no time will threats, intimidation or physical violence be tolerated. Clients who engage in such activities may face permanent exclusion from the premises or be subject to legal action.

3. Procedure

**3.1 Verbal assault or intimidation**

3.1.1 In the case of verbal assault or intimidation against staff, the perpetrator will be asked to cease the behaviour or to leave the premises immediately.

3.1.2 Future entry into all areas of shire premises will be determined by the responsible manager of each area subject to:

- Mitigating circumstances at the time of the incident.
- The response to the request to cease the behaviour and leave.
- Discussion with the perpetrator and a mutually agreed written contract to act in a more appropriate manner in the future.

3.1.3. Should a further incident occur the perpetrator will be banned from the premises in the interest of staff safety.



- 3.1.4 If the behaviour is not ceased on request and the perpetrator will not leave, the Police will be called and the future direction of the management of the situation will be determined by them.
- 3.1.5 Immediately following the incident, a report will be prepared for management, outlining the date and time of the incident, a description of the incident, the actions taken and the name and contact details of any witnesses.
- 3.1.6 The responsible senior manager is to be informed and appropriate debriefing and counseling offered to the staff members involved.

### **3.2 Physical Assault**

- 3.2.1 In all cases of physical assault the police are to be called immediately.
- 3.2.2 Staff are to diffuse the situation where possible or remove themselves to a safe place.
- 3.2.3 Once the police arrive the management of the incident must be handed over to them and the Chief Executive Officer be notified. Incident report documentation must be completed as per organisational policy.
- 3.2.4 The police will advise the Chief Executive Officer or the senior staff member present on their recommendations on what course of action should be taken.

Depending on the circumstances of the incident, outcome of the assault and the recommendations of the Police the course of action will be decided by management in consultation with staff. Options are:

- To follow the course of action as per 3.1.5 and follow up for staff as per 3.1.6.
- An immediate ban from the organisation for an agreed period subject to review if referred to counseling, anger management or other appropriate services.
- A permanent ban backed up by a restraining order if required.
- To charge the perpetrator with assault as well as a permanent ban.

### **3.3 Decision Making**

While consultation will take place with the responsible manager and staff, the final decision on the course of action taken for any incidents of threat, violence and intimidation lies with the Chief Executive Officer and the senior management, in line with the legislative requirements to demonstrate and fulfill their duty of care.

**3.4 Staff Awareness**

All staff must be informed of this policy, their duty of care to each other and be informed as to the procedures for implementing the policy at induction and on an ongoing basis.

**VOTING REQUIREMENTS:**

A handwritten signature in black ink, appearing to read 'CRAIG WADDELL', written over a horizontal line.

**CRAIG WADDELL  
MANAGER CORPORATE SERVICES**

# MINUTES

## Risk Management Advisory Committee

Minutes of a meeting of the  
Shire of Nannup Risk Management Advisory Committee Meeting  
held at 2.00pm, Tuesday 1 June 2010  
in Shirley Humble Room

### 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Councillor Gilbert declared the meeting open at 2.05pm.

### 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (previously approved)

Councillor Gilbert  
Councillor Pinkerton  
Craig Waddell – Manager Corporate Services.  
Chris Wade – Workers Manager  
Tracie Bishop – Office Representative  
Neroli Logan – Regional Risk Co Ordinator  
Steve Winfield – Works Representative  
Reharni Puckey – Trainee (Minute Taker)

### 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

### 4. PUBLIC QUESTION TIME

Nil.

### 5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

### 6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

### 7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

#### GILBERT/PINKERTON

That the Minutes of the Risk Management Advisory Committee Meeting held in the Shirley Humble Room on 15 March 2010 be confirmed as a true and correct record.

**CARRIED 6/0**

**8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil.

**9. REPORTS BY MEMBERS ATTENDING COMMITTEES**

Nil.

**10. REPORTS OF OFFICERS**

AGENDA NUMBER: 10.1 SUBJECT: RECEIPT OF ALL SITE CHECKLISTS AND INCIDENT/HAZARD FORMS NAME OF APPLICANT: CRAIGE WADDELL FILE REFERENCE: ADM26 AUTHOR: CRAIGE WADDELL DISCLOSURE OF INTEREST: DATE OF REPORT: 25 MAY 2010
--

**ATTACHMENT:**

**BACKGROUND:**

Hazard Identification Checklists, Site Checklists and Incident Reports are presented at each meeting as a way of identifying either areas of concern or areas that need work applied to.

**COMMENT:** Checklists are not available prior to the meeting and as such need to be addressed as the issues arise.

**STATUTORY ENVIRONMENT:** Nil

**POLICY IMPLICATIONS:** Nil

**FINANCIAL IMPLICATIONS:** Nil

**STRATEGIC IMPLICATIONS:** Nil

**VOTING REQUIREMENTS:** Nil

**RECOMMENDATION:**

That the Checklists and Incident reports presented to the meeting be accepted.

**PINKERTON/WADE**

That the Checklists and Incident reports presented to the meeting be accepted.

**CARRIED 6/0**

AGENDA NUMBER: 10.2  
SUBJECT: Business from Previous Meeting  
NAME OF APPLICANT: Craige Waddell  
FILE REFERENCE: ADM 26  
AUTHOR: Craige Waddell  
DISCLOSURE OF INTEREST: N/A  
DATE OF REPORT: 25 MAY 2010

**ATTACHMENT:**

**BACKGROUND:**

**COMMENT:** Prior to changes to the Risk Management Agenda formatting there are still a number of issues that had been carried forward from the previous meeting. These are:

1. Material Safety Data Sheets Review – **Steve/Neroli**
2. Review of Protective Clothing Policy – **Chris**
3. Review of Insurances Held by Sub Contractors – **Chris/Tracie**

**STATUTORY ENVIRONMENT:** Nil

**POLICY IMPLICATIONS:** Nil

**FINANCIAL IMPLICATIONS:** Nil

**STRATEGIC IMPLICATIONS:** Nil

**VOTING REQUIREMENTS:** Nil

**RECOMMENDATION:**

That items will be progressed to any further meetings until such time as they have been completed.

**WADE/BISHOP**

That the following updates be accepted:

1. Material Safety Data Sheets Review – Neroli has updated the register. Still outstanding are the actual MSDS and this will be completed in the near future – **Tracie**
2. Review of Protective Clothing –**Neroli** to investigate options and report back at next meeting.
3. Review of Insurances Held by Contractors – **Chris/Tracie** have started to go through list and have decided that since original induction process was in May 2008 list of contractors needs to be updated. List of

contractors will now be sent to different departments within shire for updating and from here letters will be sent to any contractors who are not listed with the view to holding a second induction process.

**CARRIED 6/0**

AGENDA NUMBER: 10.3 SUBJECT: Fitness for Work Procedure NAME OF APPLICANT: Craige Waddell FILE REFERENCE: ADM 26 AUTHOR: Craige Waddell DISCLOSURE OF INTEREST: N/A DATE OF REPORT: 25 May 2010
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**ATTACHMENT:** Fitness for Work Procedure

**BACKGROUND:** The Shire of Nannup is committed to the safety and health of its employees and has a duty of care under the Occupational Safety and Health Act, 1984 to provide a safe working environment. Council recognises that this duty is incumbent on all employees that extend to co-workers and individuals to prevent their safety and health from being jeopardised through an act or omission of an employee who is unfit for work.

**COMMENT:** At present there is no procedure in place for use by Council should it be suspected that an employee is under the influence of alcohol, drugs or in any other way impaired for work. The attached procedure could be used as a tool should the need arise.

**STATUTORY ENVIRONMENT:** Nil

**POLICY IMPLICATIONS:** Nil

**FINANCIAL IMPLICATIONS:** Nil

**STRATEGIC IMPLICATIONS:** Nil

**VOTING REQUIREMENTS:** Nil

**RECOMMENDATION:**

That the attached Fitness for Work Procedure be recommended to Council for adoption.

**WADDELL/PINKERTON**

That the attached amended Fitness for Work Procedure be recommended to Council for adoption.

**CARRIED 6/0**

## **11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

(a) OFFICERS

(b) ELECTED MEMBERS

Nil.

**12. GENERAL BUSINESS**

12.1 MSDS Review – **Chris** has investigated the viability of having an outside company to manage our MSDS system. At this stage the committee decided not to go ahead with this option.

12.2 Responsibilities of fire incidents regarding land – **Steve** was following this up, but at this stage the committee decided there was no further action required.

12.3 Health and Wellbeing program 10,000 Steps – **Neroli** had been approached by a company who runs the above program. At this point in time Council is not in a financial position to fund this program.

12.4 Policy on Threats, Intimidation or Physical Assault against Staff

**WADE/PINKERTON**

That the attached amended Policy on Threats, Intimidation or Physical Assault against Staff be recommended to Council for adoption.

**CARRIED 6/0**

**13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**15. NEXT MEETING**

7 September 2010 at 2.00 pm in Shirley Humble Room

**16. CLOSURE OF MEETING**

There being no further business to discuss the Presiding Member declared the meeting closed at 3.30 pm.

AGENDA NUMBER: 10.6  
SUBJECT: Monthly Financial Statements for 30 June 2010  
LOCATION/ADDRESS: Nannup  
NAME OF APPLICANT:  
FILE REFERENCE: FNC 15  
AUTHOR: Craig Waddell – Manager Corporate Services  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 8 July 2010

Attachment: Monthly Financial Statements for the period ending 30 June 2010.

**COMMENT:**

The monthly Financial Statements for the period ending 30 June 2010 are attached. Please note that not all end of year processing has occurred at the time of producing these statements, therefore they do not reflect the true end of year position of Council. The audited financial statements when completed will reflect this position.

**STATUTORY ENVIRONMENT:**

Local Government (Financial Management) Regulation 34 (1)(a).

**POLICY IMPLICATIONS:** Nil.

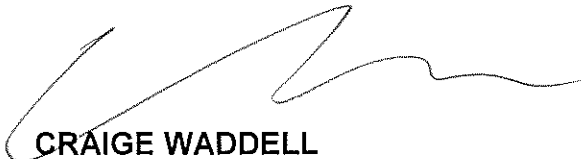
**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

That the Monthly Financial Statements for the period ending 30 June 2010 be received.

**VOTING REQUIREMENTS:**



**CRAIG WADDELL  
MANAGER CORPORATE SERVICES**



## SHIRE OF NANNUP

## STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

<u>Operating</u>	Y-T-D Actual \$	Y-T-D Budget \$	2009/10 Budget \$	Variances Y-T-D Budget to Actual %
<b>Revenues/Sources</b>				
Governance	0	0	0	0%
General Purpose Funding	2,054,754	1,793,286	807,500	15%
Law, Order, Public Safety	213,858	89,690	89,690	138%
Health	1,809	2,000	2,000	(10%)
Education and Welfare	13,985	0	0	0%
Housing	34,653	30,940	30,940	12%
Community Amenities	110,780	99,986	82,400	11%
Recreation and Culture	205,326	2,089,742	1,691,742	(90%)
Transport	2,727,275	4,974,192	5,367,683	(45%)
Economic Services	42,497	17,000	17,000	150%
Other Property and Services	42,547	25,000	25,000	70%
	<u>5,447,484</u>	<u>9,121,836</u>	<u>8,113,955</u>	<u>(40%)</u>
<b>(Expenses)/(Applications)</b>				
Governance	(194,710)	(231,476)	(240,234)	(16%)
General Purpose Funding	(147,877)	(141,948)	(146,284)	4%
Law, Order, Public Safety	(177,515)	(166,667)	(212,889)	7%
Health	(32,557)	(32,176)	(32,970)	1%
Education and Welfare	(103,642)	(109,174)	(110,196)	(5%)
Housing	(27,803)	(32,497)	(46,556)	(14%)
Community Amenities	(359,229)	(527,451)	(510,493)	(32%)
Recreation & Culture	(549,031)	(600,887)	(626,026)	(9%)
Transport	(610,524)	(681,076)	(2,107,877)	(10%)
Economic Services	(178,321)	(223,420)	(230,376)	(20%)
Other Property and Services	203,034	167,523	(21,017)	21%
	<u>(2,178,174)</u>	<u>(2,579,249)</u>	<u>(4,284,918)</u>	<u>(16%)</u>
<b>Adjustments for Non-Cash (Revenue) and Expenditure</b>				
(Profit)/Loss on Asset Disposals	26,891	0	2,861	0%
Depreciation on Assets	1,408,258	1,726,394	1,782,936	(18%)
<b>Capital Revenue and (Expenditure)</b>				
Purchase Land and Buildings	(395,839)	(2,286,404)	(2,286,404)	(83%)
Purchase Infrastructure Assets - Roads	(2,297,428)	(4,906,000)	(4,906,000)	(53%)
Purchase Plant and Equipment	(609,296)	(495,400)	(495,400)	23%
Purchase Furniture and Equipment	(2,316)	(12,500)	(12,500)	(81%)
Proceeds from Disposal of Assets	(1)	211,000	211,000	(100%)
Repayment of Debentures	(19,348)	(19,375)	(19,375)	(0%)
Proceeds from New Debentures	0	51,209	449,209	0%
Leave Provisions	136,165	136,165	136,165	0%
Depreciation - Plant Reversal	0	0	(56,542)	0%
Accruals	23,728	23,728	23,728	0%
Transfers to Reserves (Restricted Assets)	(265,000)	(265,000)	(265,000)	0%
Transfers from Reserves (Restricted Assets)	249,600	620,500	620,500	0%
ADD Net Current Assets July 1 B/Fwd	87,271	87,271	87,271	
LESS Net Current Assets Year to Date	2,654,287	0	0	
<b>Amount Raised from Rates</b>	<u>(1,042,292)</u>	<u>1,414,175</u>	<u>(898,514)</u>	

SHIRE OF NANNUP

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

	2009/10 Actual \$	Brought Forward 01-July-2009 \$
<b>NET CURRENT ASSETS</b>		
<b>Composition of Estimated Net Current Asset Position</b>		
<b>CURRENT ASSETS</b>		
Cash - Unrestricted	2,127,206	327,890
Cash - Restricted	85,667	1,662,903
Cash - Reserves	950,015	900,232
Receivables	103,577	325,478
Inventories	0	0
	<u>3,266,465</u>	<u>3,216,503</u>
<b>LESS: CURRENT LIABILITIES</b>		
Payables and Provisions	<u>423,504</u>	<u>(566,097)</u>
	3,689,969	2,650,406
Less: Cash - Reserves - Restricted	(1,035,682)	(2,563,135)
<b>NET CURRENT ASSET POSITION</b>	<u><u>2,654,287</u></u>	<u><u>87,271</u></u>

## SHIRE OF NANNUP

### STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2009 TO 30 JUNE 2010

#### REPORT ON MATERIAL VARIANCES BETWEEN YEAR TO DATE BUDGET ESTIMATE AND YEAR TO DATE ACTUAL.

All except seven of the variances shown in the above named statement of financial activity are outside of the adopted variance of 10%.

The main reason for the variances is that expenditure and income is not occurring as predicted by Officers during the budget development stage. This is due to a number of reasons, the main one being not accurately projecting cashflows throughout the year, i.e. predicting when the budgeted income or expenditure will occur as opposed to when it actually occurs. Other reasons are not receiving a grant for grant dependant expenditure, projects controlled by Advisory Committees, suppliers/contractors not having the capacity to undertake the works within Council's timeframes, altered Council priorities, etc.

Please note that not all end of year processing has occurred at the time of producing these statements, therefore they do not reflect the true end of year position of Council. The audited financial statements when completed will reflect this position.

The following provides the major reasons for the programs that have variances outside of the adopted variance:

#### REVENUE:

General Purpose Funding: Pre payment of 2010/11 WALGGC grants (-\$258,500).

Law, Order and Public Safety: Operating FESA grants (-\$40,000) received but not budgeted for and receipt of offsetting grant and expenditure for Nannup Brook fast attack (-\$94,000) not budgeted for.

Housing: Income from rentals received not as budgeted (-\$4,500).

Community Amenities: Income from various fees received not as budgeted (-\$10,000).

Recreation and Culture: An accrual for a grant for the refurbishment of the Town Hall chairs (-\$10,000) and a grant for the rock climbing wall (\$45,000) has not

been received when anticipated. Four grants for outdoor gym equipment (-\$10,000), Royalties for Regions (-\$50,000), cycle path (-\$35,931), and bicycle racks (-\$7,710) were not budgeted for. Grant income of \$240,000 associated with the ablation blocks and Marinko Tomas playground upgrade have not been received as budgeted. Income relating to the Co-location Building (Grants, Reserve & Loan Funds totalling \$2,131,000 will not be received as the project has been discontinued.

Transport: Income from various Main Roads WA grants not received as predicted in budgeting process (-\$2,000,000). Income from Sale of Assets not received as budgeted (-\$208,000). Income from loan for plant not received as budgeted (-\$51,000).

Economic Services: Received more fees for building licenses and sale of material than predicted in budgeting process (\$12,000) and Ferel Pig Program income (\$10,000) received but not budgeted for.

Other Property and Services: Received more Private Works income than budgeted for (\$17,000).

## **EXPENDITURE**

Governance: Councillor Allowances (-\$15,000), Refreshments and Functions (-\$4,000), Donations (\$2,000) and Conference Expenses (-\$7,000) not expended as predicted in budgeting process.

Housing: Maintenance on housing (-\$5,000) not expended as predicted in budgeting process.

Community Amenities: Expenditure not occurring as predicted in budgeting process in the areas of Parking Strategy (-\$8,000), Town Planning Scheme (\$5,000), Town Planning Services (-\$92,000), Administration Expenses (-\$18,000), Rubbish Site Maintenance (-\$16,000), community infrastructure plan (-\$15,000), Local Planning Scheme amendments (-\$21,000), Public conveniences (\$14,000), and cemetery operations (-\$17,000).

Transport: Expenditure not occurring as predicted in budgeting process in the areas of Depot Maintenance (-\$5,000), Local Road Maintenance (-\$47,000), Safety Measures (-\$2,500), and Profit and Loss on Sale of Assets (\$27,000).

Economic Services: Expenditure not occurring as predicted in budgeting process in the areas of Ferel Pig Program (\$23,000), Caravan Parks (-\$24,000), Superannuation (-5,000), and salaries (-\$32,000).

Other Property and services: Recovery of expenses via Public Works Overheads and Plant Operating Costs not occurring as budgeted.

#### **OTHER ITEMS**

Purchase Land and Buildings: Expenditure not occurring as predicted in budgeting process in the areas of Co location Building (-\$1,966,000), Foreshore Park and Balingup Rd Caravan Park Ablution Blocks (\$79,000), Bush Fire Brigade and Depot Construction (\$3,000).

Purchase Infrastructure Assets Roads: Expenditure not occurring as predicted in budgeting process in the areas of Council Road Program (\$99,000), Mowen Road (\$397,000), MRWA bridge program (-\$309,000), and Jalbarragup Bridge (-\$2,800,000).

Purchase Plant and Equipment: Purchase not undertaken as budgeted (-\$114,000).

Purchase Furniture and Equipment: Purchase not undertaken as budgeted (\$10,000).

Proceeds from Disposal of Assets: Sale of plant not occurring as budgeted (-\$211,000).

AGENDA NUMBER: 10.7  
SUBJECT: User Pays Principle – Council Facilities  
LOCATION/ADDRESS: Nannup  
NAME OF APPLICANT:  
FILE REFERENCE: FNC 10  
AUTHOR: Craig Waddell – Manager Corporate Services  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 8 July 2010

Attachments:

1. Summary of Responses
2. Current Policy ADM7 - Council Function Room Hire
3. Current Policy HAB2 – Use/Hire of Community Facilities
4. Council Delegation Number 70 – Use/Hire of Community Facilities

#### **BACKGROUND:**

The following resolution was adopted by Council in August 2009 as part of the Strategic and Organisational Review Report:

*E4 That Council move toward a general user pays principle in the overall management for all assets under its care, control and maintenance.*

An information item was presented to Council at its April 2010 meeting explaining a process of consultation with users of Council facilities concerning this principle. This item is only dealing with the short term hire of its built facilities. Applying this principle to long term agreements will be the subject of a future agenda item.

The value associated with the missed income from these sources is not known in total, however waived income from the casual hire of Council's built facilities totalled \$13,400 over the period December 2009 to June 2010.

As explained in the information item, the philosophy of user pays is to ensure that all users of Council facilities actually pay for the use. Currently more community organisations do not pay for the hire of facilities than those that do. This has arisen due to a number of reasons such as a request from the organisation to Council for the waiving of fees (e.g. Music Club meetings in the Shirley Humble room), the inability to enforce the charging of fees due to the location or lack of security of the facility (e.g. the use of the tennis courts) or via agreement/understanding not to charge fees (e.g. soccer club, junior auskick, gentle gym etc).

The user groups that were written to were:

Nannup Tigers Football club;  
Badminton Club;  
Basketball Club;  
Circuit training

Nannup Cricket Club;  
Aus Kick club;  
Gentle Gym;  
Glee Club;  
Karate Club;  
Nannup Music Club;  
Nannup Arts Association;  
Nannup Netball Association;  
Nannup Feral Pig Action Group;  
Red Meat Action Group;  
Nannup District High School;  
Nannup Soccer Club;  
Nannup Telecentre;  
Bootscooting;  
Magistrates Court;  
Drumming Workshops;  
Gymnastics;  
Warren Blackwood Trails;  
Nannup Darts Club.

This list does not include Council related meetings/activities such as Council meetings, Council Advisory Committee Meetings etc. This list is not necessarily an exhaustive list, but does highlight the variety of organisations that use Council facilities.

**COMMENT:**

Six responses had been received at the time of writing this agenda item. Attachment 1 to this item summarises the responses received. The responses can be made available for viewing by Councillors if desired. As would be expected, those organisations that currently enjoy the waiving of fees, wish to continue with this.

Council needs to examine its practices to ensure that it maximises its return from its built assets. This is the general thrust of the resolution stated above. This however needs to be balanced against the community benefit that would flow through due to Council waiving hire fees to some groups.

If Council desires to waive the hire fees for some groups, it should agree to the criteria by which these groups can be readily identified. Criteria along the lines of a not for profit, local community group that can demonstrate the community benefit from the waiving of the hire fees may be suitable. The decision as to the meeting of this criteria should rest with Council.

The request to waive fees should include whether it is a one off request, or an ongoing request. If ongoing, Council may wish to have a review clause contained

in the policy stating that an annual review be undertaken of those groups provided with the ongoing waiving of fees be undertaken.

Council Policy ADM7 Council Function Room Hire (attachment 2) lists the organisations that Council has previously resolved to waive hire fees for the function room (Shirley Humble Room). It also stipulates the criteria used by Council in determining whether to waive the hire fees or not as follows:

*"Council's Function Room, named as the Shirley Humble Room, is available for use by local community groups and government organisations providing a service or specific community convenience. Commercially related activities and non-community service government organisations while not excluded from use must pay the full hire rate."*

If Council agrees to the general principle of user pays as applicable to the short term hiring of its built facilities, then policy ADM7 should be modified to reflect this, including the expansion of it to incorporate all Council properties that are available for hire.

Reviewing the submissions received, only three organisations have requested the continuation of the waiving of fees associated with the hire of Council properties, with one other requesting that they have their fees waived. Details of these follow:

Gentle Gym				
currently waived	Town Hall	1hr/wk	\$898	
Blackwood Bootscot				
currently waived	Town Hall	2hr/wk	\$1,796	
Nannup Arts Council				
not waived	Recreation Centre	4 days	~\$300	
Nannup Music Club				
currently waived	various	5 days	~\$2,000	

As no other organisations have responded requesting the waiving of fees, Council should only consider the above requests.

Both the Gentle Gym and Blackwood Bootscot groups provide organised activities for its members only. This is not dissimilar to other groups throughout the community that do pay fees. The Gentle Gym group do make community donations from the fees that they raise, an example being the donation of public seating throughout the town.



The Nannup Arts Council and Nannup Music Club organise events for the wider community. The Nannup Arts Council have been declined in their previous requests for the waiving of fees as it does have a commercial side to its operations in terms of the artists, who pay for their works to be on display, having these works on sale during the exhibition. Council's schedule of fees and charges were amended in 2003 to assist this organisation by introducing a sliding scale of fees for long term use of the Recreation Centre.

The recommendation to this item suggests a change to current Council Policy ADM7 - Council Function Room Hire by:

- broadening its scope in terms of the facilities it covers;
- including a revised criteria by which Council can use to determine if they wish for the fees to be waived for particular groups; and
- lists those groups that Council have resolved to waive the hire fees for. (Please note the recommendation as presented does not list those groups that Council have resolved to waive the hire fees for as this is the purpose of this item.)

If the recommended changes to policy ADM7 are endorsed, policy HAB2 Use/Hire of Community Facilities (attachment 3) requires amendment as paragraphs 8 to 10 refer to the short term hire of Council facilities and the process by which the waiving of them is granted. This policy is primarily aimed at the long term hire arrangements of Council's facilities. The recommendation to this item suggests a change to current Council Policy HAB2 - Use/Hire of Community Facilities by deleting paragraphs 8 10.

Similarly, Council Delegation Number 70 – Use/Hire of Community Facilities (attachment 4) should be reviewed in light of the proposed alterations to policy ADM7. If the decision to waive fees for groups lies with Council, as proposed in the alterations to policy ADM7, then the delegation to the Chief Executive Officer to waive fees is not required.

The proposed changes to policies ADM7, Council Function Room Hire and HAB2, Use/Hire of Community Facilities along with the removal of Delegation Number 70 Use/Hire of Community Facilities will consolidate Council's position on user pays in relation to the short term hire of its facilities.

**STATUTORY ENVIRONMENT:** Local Government Act 1995 S6.16.

**POLICY IMPLICATIONS:**

Dependent upon Council's resolution, policies ADM7 - Council Function Room Hire and HAB2, Use/Hire of Community Facilities will be changed, and Delegation Number 70 – Use/Hire of Community Facilities will be revoked.

**FINANCIAL IMPLICATIONS:**

Dependent upon Council’s resolution, income derived from fees charged for the short term hire of its facilities will increase.

**STRATEGIC IMPLICATIONS:**

Council’s Strategic and Organisational Review Report which was adopted in August 2009 states in part:

*E4 That Council move toward a general user pays principle in the overall management for all assets under its care, control and maintenance.*

**RECOMMENDATIONS:**

1. That Council adopt the following policy ADM7 – Hire of Council Facilities

<h1 style="margin: 0;">Hire of Council Facilities</h1>
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**ADM 7**

Council will charge all hirers of its facilities as per its list of fees and charges which is reviewed annually in line with the budget, unless exempted by resolution of Council.

In considering an application for exemption of paying fees, Council will consider the request based on the organisation being not for profit, local, and the demonstration of the community benefit derived from the waiving of the fees.

Hire Charges and Fees are waived for the following organisations:

XXXXXXXXXXXXX  
XXXXXXXXXXXXX  
XXXXXXXXXXXXX

All fees and bonds are to be paid prior to the use of the facility. Bookings are not confirmed until full payment is received. Keys provided to hirers are to be returned by midday of the following business day. Bonds shall be returned after an inspection of the facility has occurred to ensure compliance with bond conditions.

Bookings are taken on a first come first served basis with all regular Council related functions, events and meetings taking priority over external bookings.

The hire of the Shirley Humble Room is to be primarily for meeting purposes. If the kitchen adjacent to the Shirley Humble room is used, it is to be left as found, in a clean and tidy condition. All crockery and cutlery to be washed and put away. All appliances and bench space clean and wiped down. All furniture to be left as found, clean and tidy.

- 2. That fees charged for the hire of Council facilities be waived for the following organisations:

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- 3. That Council Policy HAB2 - Use/Hire of Community Facilities be amended by deleting paragraphs 8 10.
- 4. That Council Delegation Number 70 – Use/Hire of Community Facilities be revoked.

**VOTING REQUIREMENTS:**

Absolute Majority Decision required for the revocation of a delegation (LGA s5.45 (1)(b))



**CRAIGE WADDELL  
MANAGER CORPORATE SERVICES**

**SCHEDULE OF SUBMISSIONS**  
**Shire of Nannup User Pays Principle, comments close 2 July 2010**

No	Ref	Name	Date received	Summary of Submissions	Request
1		Glee Club	11-Jun-10	The Glee club has always paid and this would have no impact on them	no request
2	526	Gentle Gym	11-Jun-10	Appreciates the fees being waived, donates back to the local community	Request to continue to waive fees.
3	546	Blackwood Bootscoot	18-Jun-10	Against charging fees, Council need to support community, other options of payment concessional fees, maintenance fee on capacity used	Request to continue to waive fees.
4	556	Telecentre	22-Jun-10	Does not support charging for not-for-profit groups, volunteers that have helped restoring Shire facilities, better to raise rates	no request
5	604	Nannup Arts Council	2-Jul-10	The general principle is understood and they appreciate the waiving of fees	Request to waive fees with presenting an art exhibition
6	608	Nannup Music Club inc	2-Jul-10	Supportive of Council being sustainable, appreciates Shire's support, asks for all non-for-profit groups to be treated equally. Not in favour of fees for ovals, parks (outdoor facilities)	Request to continue to waive fees.

# Council Function Room Hire

## ADM 7

1. Council's Function Room, named as the Shirley Humble Room, is available for use by local community groups and government organisations providing a service or specific community convenience. Commercially related activities and non-community service government organisations while not excluded from use must pay the full hire rate. Bookings are taken on a first come first served basis with all regular Council related functions, events and meetings taking priority over external bookings.

2. Charges for the use of the room will be reviewed annually in line with the budget, and incorporated in Council's list of fees and charges. All charges are to be paid prior to the use of the room. Bookings are not confirmed until full payment is received. The key is to be returned by midday of the following business day.

3. Hire Charges and Fees are waived for the following organisations:

Nannup Music Festival Committee.  
Youth Advisory Council.  
Nannup Visitor Centre  
Danjangerup Cottages  
Nannup Arts Council  
Nannup Lions Club  
Nannup Occasional Child Care  
Blackwood River Valley Tourism Association  
South Coast Horticultural Steering Committee  
Nannup Telecentre  
Red Meat Action Group  
Nannup Feral Pig Action Group

Additions and deletions to this list shall be authorised by Council.

4. The kitchen, if used, is to be left as found, in a clean and tidy condition. All crockery and cutlery to be washed and put away. All appliances and bench space clean and wiped down. All furniture to be left as found, clean and tidy.

5. The hire of the room is to be primarily for meeting purposes.

*Policy Adopted at a Council Meeting on 9 September 1993.*

*Policy Reviewed at a Council Meeting on 12 May 1994.*

*Policy Reviewed at a Council Meeting on 15 December 1994.*

*Policy Reviewed at a Council Meeting on 28 September 1995.*  
*Policy Reviewed at a Council Meeting on 22 February 1996.*  
*Policy Reviewed at a Council Meeting on 27 June 1996.*  
*Policy Reviewed at a Council Meeting on 27 February 1997.*  
*Policy Reviewed at a Council Meeting on 28 June 1998.*  
*Policy Reviewed at a Council Meeting on 22 October 1998.*  
*Policy Reviewed at a Council Meeting on 26 August 1999.*  
*Policy Reviewed at a Council Meeting on 23 March 2000.*  
*Policy Reviewed at a Council Meeting on 22 June 2000.*  
*Policy Reviewed at a Council Meeting on 26 April 2001.*  
*Policy Reviewed at a Council Meeting on 26 July 2007.*  
*Policy Reviewed at a Council Meeting on 23 April 2009.*  
*Policy Reviewed at a Council Meeting 28 January 2010.*

# Use/Hire of Community Facilities

## HAB 2

1. Council encourages the self-management of community buildings and will endeavour to provide adequate support to community groups who are eager to maintain and develop community buildings and facilities.
2. The tenure of local controlling committees with their buildings and/or land shall be by way of lease agreement based on the Shire of Nannup Tenancy Agreement Standard Terms and Conditions, with each lease/agreement being endorsed by Council prior to the occupation of any premises. Council is to have regard to the individual circumstances of community groups when finalising any lease/agreement.
3. All facilities must be managed on a financially independent basis and fees, subscriptions, rentals, levies etc; must be sufficient to cover all operational outgoings which should include maintenance required as a result of normal wear and tear, as well as electricity, water and any other utilities.
4. Council reserves the right to provide annual operational grants to managing committees if such expenses are considered to be outside the resources of the organisation, is seen to be in the general interests of the community or is granted to assist an organisation in its establishment.
5. Council, upon receipt of Annual Financial Statements and Building Reports will consider budget allocations for expenses of a non-operational nature such as major repairs, additions or renovations in line with normal annual budget deliberations.
6. Council will undertake an inspection of all community buildings as part of its budget deliberations.
7. Council will not, at the expense of a community based not for profit group, enter into a lease/agreement with any organisation that is considered commercial in nature. If Council does enter into a lease/agreement with an organisation that is considered commercial in nature, commercial arrangements and conditions are to be put in place.
8. In relation to the short term hire of Community facilities, Council's adopted Schedule of Fees and Charges will apply.

9. Community based organisations may apply to Council for a refund of the cost of the hire and/or bond payable of Council facilities after the event or for a waiver of the applicable fees through the hire process.
10. Council will consider the refund or waiver of any hire fees and/or bond payable on a case by case basis with the Chief Executive Officer having delegated authority to refund or waive hire fees and/or bond payable if the amount is less than or equal to one days facility hire.
11. Council and the Chief Executive Officer in applying point 10 above will have regard to the perceived benefits to the community, and what is in the best interests of the community, when determining if any fee or charge should be refunded or waived.

*Policy Adopted at a Council Meeting on 17 December 1992.*

*Policy Reviewed at a Council Meeting on 9 June 1994.*

*Policy Reviewed at a Council Meeting on 28 February 2002.*

*Policy Reviewed at a Council Meeting on 23 August 2007.*

*Policy Reviewed at a Council Meeting on 26 February 2009.*



<b>DELEGATION NUMBER</b>	-	<b>70</b>
LEGISLATIVE POWER	-	Local Government Act 1995 (Section 5.42)
DELEGATION SUBJECT	-	Use/Hire of Community Facilities
DELEGATE	-	Chief Executive Officer

Community based organisations may apply to Council for a refund of the cost of the hire and/or bond of Council facilities after the event or for a waiver of the applicable fees through the hire process.

Council will consider the refund or waiver of any hire and/or bond fees on a case by case basis with the Chief Executive Officer having delegated authority per Council Policy HAB 2 to refund or waive hire and/or bond fees if the amount is less than or equal to one days facility hire.

In applying point this delegation the Chief Executive Officer per Policy HAB 2 will have regard to the perceived benefits to the community, and what is in the best interests of the community, when determining if any fee or charge should be refunded or waived.

*Adopted at a Council Meeting on 28 February 2002.*

*Reviewed at a Council Meeting on 22 September 2005.*

*Reviewed at a Council Meeting on 26 July 2007.*

*Reviewed at a Council Meeting on 27 November 2008.*

The recording of the exercising of this power of delegation shall be kept on file ASS 5.

AGENDA NUMBER: 10.8  
SUBJECT: Department for Communities Age Friendly Communities Grant  
LOCATION/ADDRESS:  
NAME OF APPLICANT:  
FILE REFERENCE: FNC 6  
AUTHOR: Louise Stokes – Community Development Officer  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 22 June 2010

**BACKGROUND:**

Funding acknowledgement has been received of \$8,000 from the Department for Communities through their 'Age Friendly Communities' grants program. As this funding is over \$5,000, Council is required to accept the funding as per policy FNC6.

The Age Friendly Communities Framework is an internationally tested framework which is used to investigate and enhance the age-friendliness of a community and has been found to be an effective way to encourage seniors to stay connected and to participate in their community. Participation by seniors in the process is a core aspect to the framework. This phase requires a commitment from the Local Government Authority to implement the findings in their planning process

In the first phase information is acquired about the eight essential features of an age-friendly city as follows:

1. Outdoor spaces and Buildings
2. Transport
3. Housing
4. Social participation
5. Respect and social inclusion
6. Civic participation and employment
7. Communication and information, and
8. Community support and Health Services.

**COMMENT:**

This program enhances the senior's activities that are currently being run and will provide an opportunity to undertake community consultation on the eight framework criteria that can feed into strategic planning for Council.

It is a requirement of this grant that Council match the funding dollars, which is made up of \$2,000 senior's activities, \$1,000 from the LDAG funding and the balance of \$5,000 has been approved by the South West Development Commission.

In addition the SWDC has offered resource and facilitation assistance towards this project.

**STATUTORY ENVIRONMENT:** Nil.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:**

\$2,000 senior's activities contained in Council's draft 2010/11 budget.

**STRATEGIC IMPLICATIONS:**

Shire of Nannup Forward Plan 2010/11 – 2014/15:

*Program 8.2.D Develop and implement senior's activities.*

*Program 8.2.B Assist the Danjangerup Cottages Committee in the construction of additional aged accommodation.*

**RECOMMENDATION:**

That Council accept the funding of \$8,000 from the Department for Communities to undertake the Age Friendly Communities Project.

**VOTING REQUIREMENTS:**

*for*  
  
**LOUISE STOKES  
COMMUNITY DEVELOPMENT OFFICER**

AGENDA NUMBER: 10.9 SUBJECT: Location for Bike Racks LOCATION/ADDRESS: NAME OF APPLICANT: FILE REFERENCE: FNC 6T AUTHOR: Louise Stokes – Community Development Officer DISCLOSURE OF INTEREST: DATE OF REPORT: 12 July 2010
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**BACKGROUND:**

At the April 2010 Council meeting it was resolved to locate the Spider bike rack at the Foreshore Park and the Bench Seat bike rack on the existing garden bed between the Anglican Church car park and Adam St.

When placing the spider bike rack in its proposed location at the Foreshore Park it does not suit this site.

The bench seat bike rack is too large to be located on the existing garden bed between the Anglican Church car park and Adam St.

**COMMENT:**

The original working party that selected the bike racks has met with Council staff to select appropriate locations that met the criteria of the brief with the outcome being the placement of the Spider bike rack at the Village Green and the Park Bench bike rack at the Foreshore Park.

To achieve this, a rescission of the previous Council decision made at the April 2010 meeting is required.

**STATUTORY ENVIRONMENT:**

The Local Government (Administration) Regulations 1996 sets out the process for dealing with rescission motions. Regulation 10 (1) states:

*"(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported -*

*(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority;  
or*

*(b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*

Regulation 10 (2) states:

*"(2) If a decision has been made at a council or committee meeting then any decision to revoke or change the first mentioned decision must be made –*

*(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or*

*(b) in any other case, by an absolute majority.*

**POLICY IMPLICATIONS:** Nil

**FINANCIAL IMPLICATIONS:** fully funded

**STRATEGIC IMPLICATIONS:**

Forward Plan 2008/09 2012/13 Program 11 Recreation & Culture 11.A states:

*"Develop concept plans for artistic bike racks as tourist features and pursue funding for implementation."*

**RECOMMENDATIONS:**

1. That Council rescind part of resolution 8380 from its April 2010 meeting, specifically dot points 1 and 3, ie:

*That Council approves the locations for installation as:*

- *Spider (Attachment A) by artist Irene Osborne: Foreshore Park*
- *Park bench (Attachment C) by artist Russell Fuller-Hill: Adam Street between the two box trees*

2. That Council approves the locations for installation as:

- *Spider bike rack by artist Irene Osborne: Village Green*
- *Park bench bike rack by artist Russell Fuller-Hill: Foreshore Park*

**VOTING REQUIREMENTS:**

The support of three Councillors is required to move the motion to rescind the decision.

Absolute Majority Decision required for the rescission motion.



*For* **LOUISE STOKES**  
**COMMUNITY DEVELOPMENT OFFICER**

<p>AGENDA NUMBER: 10.10  SUBJECT: Accounts for Payment  LOCATION/ADDRESS: Nannup Shire  FILE REFERENCE: FNC 8  AUTHOR: Tracie Bishop – Administration Officer  DISCLOSURE OF INTEREST:  DATE OF REPORT: 13 July 2010</p>
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Attachment: Schedule of Accounts for Payment.

**COMMENT:**

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund are detailed hereunder and noted on the attached schedule are submitted to Council.

**Municipal Account**

Accounts Paid By EFT EFT 1520 - 1606	\$469,572.43
Accounts Paid By Cheque Vouchers 18157– 18185	\$ 45,257.81
Direct Debits Vouchers 99187 – 99192	\$ 19,620.68

**Trust Account**

Accounts Paid By Cheque Voucher –	\$0.00
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**STATUTORY ENVIRONMENT:**

Local Government (Financial Management) Regulation 13

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:**


As indicated in the Schedule of Accounts for Payment.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$534,450.92 in the attached schedule be accepted.

**VOTING REQUIREMENTS:**

A handwritten signature in black ink, appearing to read 'Tracie Bishop', written in a cursive style.

**TRACIE BISHOP  
ADMINISTRATION OFFICER**

**SCHEDULE OF ACCOUNTS PAYABLE  
SHIRE OF NANNUP  
SUBMITTED TO COUNCIL'S JULY 2010 MEETING**

**MUNICIPAL PAYMENTS**

Chq/EFT	Name	Description	Amount
EFT1520	FHM CONSULTING	BIKE RACK PROJECT - PAYMENT 1 AMENDMENT	\$507.50
EFT1521	MJB INDUSTRIES	SUPPLY OF PIPES	\$12,292.76
EFT1522	ENVIRONMENTAL HEALTH AUSTRALIA	MEMBER SUBSCRIPTION	\$295.00
EFT1523	J BLACKWOOD & SON LIMITED	TOOLS	\$579.96
EFT1525	FHM CONSULTING	NANNUP PUBLIC BIKE RACK PROJECT	\$5,582.50
EFT1526	AUSTRALIA DAY COUNCIL	AUSTRALIA DAY MERCHANDISE	\$97.50
EFT1527	WA TYRE RECOVERY	REMOVAL OF TYRES FROM NWMF	\$2,159.85
EFT1528	AUSTRALIAN TAXATION OFFICE	MAY BAS	\$6,721.00
EFT1529	ARROW BRONZE	PLAQUES	\$854.80
EFT1530	COURIER AUSTRALIA	FREIGHT CHARGES	\$373.66
EFT1531	HOLCIM AUSTRALIA PTY LTD	ROAD BASE SUPPLIES	\$10,363.54
EFT1532	GEOGRAPHE SAWS & MOWERS	SUNDRY SUPPLIES	\$167.60
EFT1533	CORPORATE EXPRESS	STATIONERY ORDER	\$75.39
EFT1534	LANDGATE	RURAL UV VALUATIONS	\$6,512.70
EFT1535	GREENWAY ENTERPRISES	GARDENING SUPPLIES	\$291.94
EFT1536	JR & A HERSEY PTY LTD	TOOLS / SAFETY EQUIPMENT	\$411.54
EFT1537	INSIGHT CCS PTY LTD	MONTHLY SERVICE FEE	\$123.37
EFT1538	NANNUP NEWSAGENCY	STATIONERY & POSTAGE SUPPLIES	\$681.37
EFT1539	NANNUP EZIWAY SELF SERVICE STORE	REFRESHMENTS AND CLEANING SUPPLIES	\$162.95
EFT1540	SERENE HABITATS GARDEN DESIGN	SMART CLUBS ADMINISTRATION	\$430.00
EFT1541	WALGA	ADVERTISING EXPENSES	\$1,677.54
EFT1542	WORTHY CONTRACTING	PNEMONIA ROAD WORKS	\$8,002.50
EFT1543	WADIFARM CONSULTANCY SERVICES	PROFESSIONAL SERVICES	\$2,035.00
EFT1544	EWEN ROSS	REIMBURSEMENT OF EXPENSES	\$1,073.01
EFT1545	RED 11	COMPUTER SUPPLIES	\$1,209.52
EFT1546	GREENLINE AGRICULTURE	SUNDRY PARTS - RIDE ON MOWER	\$952.26
EFT1547	DEPARTMENT OF PREMIER AND CABINET	GOVERNMENT GAZETTE ADVERTISING LPS NO.3 AM NO 3	\$783.84
EFT1548	J BLACKWOOD & SON LIMITED	SUNDRY TOOL SUPPLIES	\$287.19
EFT1549	PHOENIX BUILDING COMPANY	DEMOLITION OF RESERVE TOILET	\$1,349.15
EFT1550	EWEN ROSS	REIMBURSEMENT OF EXPENSES	\$99.00
EFT1551	BLACKWOOD VALLEY BUS SERVICE	SENIORS BUS TRIP	\$129.00
EFT1552	WA TYRE RECOVERY	TYRE RECOVERY	\$2,044.35
EFT1553	DOVE HOLDINGS PTY LTD	CONSULTANCY FEES	\$1,100.00
EFT1554	SILVERBAY ENTERPRISES PTY LTD	LIQUID WASTE - SEPTIC TANK,	\$311.70
EFT1555	3 MONKEYS AUDIOVISUAL PTY LTD	HANDS FREE MICROPHONE	\$609.50
EFT1556	CRABAPPLE LANE BED AND BREAKFAST	ACCOMMODATION	\$99.00
EFT1557	BOYANUP BOTANICAL	PLANTS	\$731.36
EFT1558	COURIER AUSTRALIA	FREIGHT CHARGES	\$30.00
EFT1559	LANDGATE	GROSS RENTAL VALUES REVALUATION COUNTRY TOWNS	\$15,000.00
EFT1560	K & C HARPER	PROPERTY MAINTENANCE	\$2,148.30
EFT1561	PRESTIGE PRODUCTS	CLEANING SUPPLIES	\$811.80
EFT1562	THE PAPER COMPANY OF AUSTRALIA PTY LTD	STATIONERY SUPPLIES	\$138.60
EFT1563	SHIRE OF MANJIMUP	IT SUPPORT	\$550.00
EFT1564	WADIFARM CONSULTANCY SERVICES	DIGITAL PHOTOGRAPHY WORK SHOP 21ST JUNE	\$55.00
EFT1565	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	\$21,237.09
EFT1566	LAUREN CARTLEDGE	TRAINING FEES	\$242.50
EFT1567	EWEN ROSS	REIMBURSEMENT OF EXPENSES	\$96.64
EFT1568	BP NANNUP	MOWEN ROAD - FUEL EXPENSES	\$21,928.80
EFT1569	DF & DJ BOULTER	RECOUP OF COUNCILLOR EXPENSES	\$1,254.00
EFT1570	BDA TREELOPPING SERVICE	TREELOPPING	\$6,000.00
EFT1571	COURIER AUSTRALIA	FREIGHT CHARGES	\$31.78
EFT1572	COUNTRY WOMEN'S ASSOCIATION	COUNCIL DINNER	\$240.00
EFT1573	EVERYDAY POTTED PLANTS	GARDENING SUPPLIES	\$810.40
EFT1574	CHARLES GILBERT	RECOUP OF EXPENSES	\$1,625.00
EFT1575	JASON SIGNMAKERS	STREET SIGNAGE	\$792.00
EFT1576	K & C HARPER	SUNDRY WORK - RIVERBEND CARAVAN PARK	\$82.50
EFT1577	GREG MADER EARTHWORKS	REHABILITATE RIVER ROAD PIT	\$8,800.00
EFT1578	NANNUP HARDWARE & AGENCIES	SUNDRY SUPPLIES	\$10,058.13
EFT1579	NANNUP EZIWAY SELF SERVICE STORE	REFRESHMENTS AND CLEANING	\$21.55
EFT1580	VOGUE FURNITURE	JARRAH BOOKCASE	\$263.00
EFT1581	WML CONSULTANTS	MOWEN ROAD PROJECT MANAGEMENT	\$14,937.84
EFT1582	WALGA	LG BREAKFAST FORUM	\$45.00
EFT1583	CRAIGE WADDELL	RECOUP OF EXPENSES	\$355.35
EFT1584	WADIFARM CONSULTANCY SERVICES	PROFESSIONAL SERVICES	\$2,447.50
EFT1585	PICTON TYRE CENTRE PTY LTD	TYRE SUPPLIES	\$1,006.00
EFT1586	WA TYRE RECOVERY	NANNUP RUBBISH SITE CLEAN UP	\$2,565.75
EFT1587	THE B.I.G.N	3 X DINNER TICKETS & CONTRIBUTION TO SPEAKER COSTS	\$235.00
EFT1588	MJ LINDSAY & CO	SPRAYING ROAD VERGE	\$2,311.28



**SCHEDULE OF ACCOUNTS PAYABLE  
SHIRE OF NANNUP  
SUBMITTED TO COUNCIL'S JULY 2010 MEETING**

**MUNICIPAL PAYMENTS**

Chq/EFT	Name	Description	Amount
EFT1589	NICHOLLS MACHINERY	SPARE PARTS	\$640.20
EFT1590	WML CONSULTANTS	PROFESSIONAL FEES	\$165.00
EFT1591	WARREN BLACKWOOD WASTE	BIN PICK UPS JUNE	\$7,441.22
EFT1592	WORTHY CONTRACTING	1 MONTH CONTRACT NWF	\$9,463.33
EFT1593	NANNUP SURVEYS	DEVELOPMENT GUIDELINE PLAN AND REPORT	\$2,200.00
EFT1594	COURIER AUSTRALIA	FREIGHT CHARGES	\$36.43
EFT1595	GEOGRAPHE SAWS & MOWERS	2 DOOR TANDEM ROCKER	\$2,400.00
EFT1596	FITZ GERALD STRATEGIES	ADVICE TO A/CEO	\$1,752.37
EFT1597	FENNESSY'S	30,000KM SERVICE	\$232.52
EFT1598	JASON SIGNMAKERS	STREET SIGNAGE	\$484.00
EFT1599	LOCAL GOVERNMENT MANAGERS AUSTRALIA	LGMA MEMBERSHIP SUBSCRIPTION	\$410.00
EFT1600	GREG MADER EARTHWORKS	WORKS ON MOWEN ROAD	\$254,733.05
EFT1601	NANNUP HANDY FOODS	9KG GAS EXCHANGE	\$42.60
EFT1602	NANNUP NEWSAGENCY	POSTAGE & STATIONERY SUPPLIES	\$478.41
EFT1603	ROD'S AUTO ELECTRICS	SUNDRY PARTS	\$303.00
EFT1604	RICOH BUSINESS CENTRE	PHOTOCOPIER METER PLAN	\$280.64
EFT1605	VASSE EXPRESS COURIER	FREIGHT CHARGES	\$110.00
EFT1606	WADIFARM CONSULTANCY SERVICES	PROFESSIONAL SERVICES	\$1,100.00
<b>TOTAL EFT PAYMENTS:</b>			<b><u>\$469,572.43</u></b>
18157	CARDNO BSD PTY LTD	ROMAN DATA CAPTURE	\$17,127.00
18158	TAFEWA SOUTH WEST REGIONAL	COURSE FEES	\$584.25
18159	SCANIA AUSTRALIA	SUNDRY PARTS	\$1,025.97
18160	BROONS	MACHINERY HIRE	\$2,750.00
18161	CSIRO PUBLISHING	FOOD CODE	\$88.90
18162	ACTION KERBING	KERBING NANNUP TOWNSITE	\$5,334.45
18163	BLACKWOOD CAFE - ARIHIA PTY LTD	CATERING	\$348.00
18164	CUTTING EDGES	SUNDRY SPARE PARTS	\$632.71
18165	DIRECT FUEL SUPPLIES	FUEL & OILS	\$2,584.45
18166	SAVILLE HOTEL GROUP PTY LTD	ACCOMMODATION	\$610.00
18167	BOREHAM VALLEY NURSERY	12 X STREET TREES	\$158.40
18168	JACQUELINE CHRISTIE	RATES REFUND	\$124.75
18169	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	\$862.30
18170	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$416.19
18171	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	\$429.39
18172	NORWICH UNION SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	\$416.19
18173	COMMONWEALTH SUPER SELECT	SUPERANNUATION CONTRIBUTIONS	\$88.79
18174	IIML ACF IPS APPLICATION TRUST	SUPERANNUATION CONTRIBUTIONS	\$453.60
18175	HOSTPLUS EXECUTIVE	SUPERANNUATION CONTRIBUTIONS	\$158.73
18176	HART SPORT	FITNESS GEAR	\$616.50
18177	SUZANNE HAY	SENIOR DANCE WORKSHOPS	\$400.00
18178	BULLIVANTS	SUNDRY SUPPLIES	\$863.94
18179	MYERS EQUESTRIAN AND AGRICULTURAL SERVICES	RAOD MAINTENANCE WORKS	\$4,884.00
18180	TELSTRA	NANNUP BROOK VBFB TELEPHONE EXPENSES	\$380.45
18181	DEPARTMENT FOR TRANSPORT	REGISTRATION FEES	\$1,621.40
18182	REPCO PTY LTD	SUNDRY PARTS	\$102.50
18183	FOREST PRODUCTS COMMISSION	BALANCE PAYMENT- VARIOUS SEEDS	\$483.60
18184	SYNERGY	ELECTRICITY EXPENSES	\$1,240.85
18185	WORK CLOBBER	SAFETY WEAR	\$470.50
<b>TOTAL CHEQUE PAYMENTS:</b>			<b><u>\$45,257.81</u></b>
99187	SG FLEET AUSTRALIA P/L	VEHICLE LEASE	\$637.29
99188	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 36	\$4,608.19
99189	BP AUSTRALIA	FUEL EXPENSES	\$12,661.61
99190	CALTEX AUSTRALIA	FUEL EXPENSES	\$524.63
99191	TELSTRA	TELEPHONE EXPENSES	\$1,069.07
99192	WESTNET	INTERNET EXPENSES	\$119.89
<b>TOTAL DIRECT DEBITS</b>			<b><u>\$19,620.68</u></b>

**TOTAL MUNICIPAL PAYMENTS: \$534,450.92**

**TOTAL TRUST PAYMENTS: \$0.00**

**TOTAL PAYMENTS FOR THE PERIOD 16/06/2010 TO 13/07/2010: \$534,450.92**