



Shire of
Nannup
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Minutes

Council Meeting held Thursday 24 May 2018

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Minutes

1. DECLARATION OF OPENING

The Shire President declared the meeting open at 4.32pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE/VISITORS

ATTENDANCE:

Councillors: T Dean, C Buckland, R Longmore, N Steer, C Stevenson,
V Hansen and P Fraser

David Taylor – Chief Executive Officer
Jon Jones – Manager Infrastructure
Jane Buckland – Development Services Officer

APOLOGIES:

Cr Mellema
Tracie Bishop – Manager Corporate Services

LEAVE OF ABSENCE:

Nil

VISITORS: Rita Stallard, Julie Kay, Charles Gilbert and Cheryle Brown.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Rita Stallard – East Nannup Road

Mrs Stallard took the Public Question Time as an opportunity to clarify that the questions asked by her at the April Ordinary Council meeting pertained to a letter she had sent to the Shire administration office. The Chief Executive Officer advised Mrs Stallard that she would be provided with a written response to this letter in due course.

Charles Gilbert – Adam Street

Mr Gilbert supplied the Council with a copy of a letter already sent to the Shire administration in April. The Shire President took his letter as questions on notice and advised that Ms Bishop, Manager Corporate Services; would provide a written response in due course.

5. APPLICATION FOR LEAVE OF ABSENCE:

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7. DECLARATIONS OF INTEREST

The Shire President will read out any declarations received relating to financial, proximity or impartiality interests and ask for any further declarations to be made.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 18076 STEER/BUCKLAND

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 26 April 2018 be confirmed as a true and correct record.

CARRIED (7/0)

8.2 18077 STEVENSON/FRASER

That the Minutes of the Local Emergency Management Committee meeting held 7 February 2018 be confirmed.

CARRIED (7/0)

8.3 18078 STEVENSON/FRASER

That the Minutes of the Nannup Shire Bush Fire Advisory Committee meeting held 7 May 2018 be confirmed.

CARRIED (7/0)

9. MINUTES OF COUNCIL COMMITTEES

9.1 18079 FRASER/BUCKLAND

That the Minutes of the BIG N meetings held in 12 April and 10 May 2018 be received.

CARRIED (7/0)

9.2 18080 FRASER/BUCKLAND

That the Minutes of the WALGA South West Zone meeting held 27 April 2018 be received.

CARRIED (7/0)

9.3 18081 FRASER/BUCKLAND

That the Minutes of the WALGA State Council meeting held 4 May 2018 be received.

CARRIED (7/0)

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

Date	Meeting	Councillor
7/5/18	Bush Fire Advisory Committee	Cr Fraser, Cr Stevenson

AGENDA NUMBER:	12.1
SUBJECT:	Room Hire Concession
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Lower Blackwood Vertebrae Pest Management Group
FILE REFERENCE:	ASS 5
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	17 May 2018
ATTACHMENTS:	Nil

BACKGROUND:

The Lower Blackwood Vertebrae Pest Management Group (LBVPMG) was formed by members of the community many years ago for the purpose of sourcing and executing funding for the control of vertebrae pests within the Shire of Nannup, with a focus on feral pig control.

COMMENT:

This group was historically formed for the purpose of sourcing and executing funding for the control of vertebrae pest within the Shire of Nannup, with a focus on feral pig control. The Group has been inactive and operating under the Lower Blackwood LCDC.

This group actively seeks funding in order to conduct their activities. An example being a \$55,000 grant was received from the State Natural Resource Management (NRM) from July 2016 – December 2016 with an in-kind contribution from the group of \$111,733 towards a control program. This particular program focused on feral pig control in the Scott River area. The program resulted in over 450 feral pigs being despatched during the period. The NRM considered this a great achievement considering the large area that the officers were responsible.

Historically, this group has convened meetings in the Shirley Humble room at the Shire of Nannup Administration offices as support to the group. Over the years, the Shire has made two contributions of \$5,000 (GST Exc) to the Group through Lower Blackwood LCDC); the first being September 2016 and the second being January 2018.

The Group has not met for some time and approached the Shire in April 2018 to have use of the Shirley Humble room. As this group was not an Advisory Committee of Council they were asked to utilise the community room at the Nannup Recreation Centre which attracted a room hire charge of \$52 (half day hire).

This group is not an Advisory Committee of Council, however, as many other committees/groups within the Nannup community there is a Councillor representative attending the meetings. Cr Fraser is the designated representative on this group.

A request has been made to Council asking that they are able to utilise the Shirley Humble room at the Shire of Nannup Administration buildings as ongoing support to the Group.

The Council Chambers and Shirley Humble room are utilised for Council driven activities such as Advisory Committees and formal Council meetings. Community groups have found and utilised their own resources to conduct their activities.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

FNC 3 – Community Group Grants and Donations

FINANCIAL IMPLICATIONS:

Full charge per Fees and Charges ½ day room hire - \$52
Fee waiver applied to Lower Blackwood Vertebrae Pest Management Group for the future use of the Community Room at the Nannup Recreation Centre.
Lost Income - \$52 per room hire

STRATEGIC IMPLICATIONS:

Strategic Community Plan 2017 -2027

Focus point 5.1 - Listen

To listen and partner with our community leaders and all our diverse groups.

Strategies

Support of existing and emerging community groups.

Action

Provide community funding and support for events and community groups.

Responsibility

Facilitator

Focus point 4.1 – Our Sanctuary

We will protect our amazing nature, magnificent forests, managed bush land, rivers, agriculture and our pristine coastline.

Strategies

Improve awareness and increase public responsibility for our environment.

Action

Work with Government agencies to provide balance between natural and managed bushland, forests, rivers, agriculture and coast.

Responsibility

Advocate

RECOMMENDATION

That Council approve a fee waiver for room hire fees to the Lower Blackwood Vertebrae Pest Management Group when hiring the community room at the Nannup Recreation Centre in support of their initiatives.

VOTING REQUIREMENTS:

Simple Majority

18082 STEER/LONGMORE

That Council approve a fee waiver for room hire fees to the Lower Blackwood Vertebrae Pest Management Group when hiring the community room at the Nannup Recreation Centre in support of their initiatives.

CARRIED (5/2)

Voted Against the Motion: Cr Dean and Cr Steer

AGENDA NUMBER:	12.2.
SUBJECT:	Nannup Men Shed Land Clearing
LOCATION/ADDRESS:	Nannup Men Shed site
NAME OF APPLICANT:	Nannup Men Shed
FILE REFERENCE:	ASS 28
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	16 May 2018
ATTACHMENTS:	Nil

BACKGROUND:

The Department of Lands wrote to Council in January 2017 advising of the decision to make available a portion of Reserve 26684 being past Lot 232 on Deposited Plan 168946 previously set aside for the purpose of ‘School site’ and not proposed Nannup Men’s Shed.

The Department advised that the land will be made available subject to all costs being paid. The Shire of Nannup provide indemnification against costs and claims and that a Management Order be issued to either the Nannup Men’s Shed or the Shire of Nannup.

The Nannup Men’s Shed wrote to Council advising that it had resolved that they will gladly accept responsibility for the Management Order over the land.

In relation to the surveying and other incidental costs, resolution 17007 was passed in the January 2017 Council meeting as follows;

‘17007 STEER/LONGMORE

That Council advises the Department of Lands that it will cover surveying and other incidental costs associated with securing land for the Nannup Men’s Shed and also indemnify the Department of Lands against costs and claims.

Council also advises the Department that it supports the Management Order being issued to the Nannup Men’s Shed Inc., for management and control of the land.

CARRIED (7/0)’

These survey and incidental costs to date have not been received, however \$5,000 has been set aside in the 2017/18 budget.

The Nannup Men’s Shed have written to Council advising that the Management Order has now been executed by the Nannup Men’s Shed.

Within this letter a request has been made for Council to provide assistance in the form of clearing the parcel of land and provided a quoted amount from a contractor of \$1,683 to complete the works. Resolution 16113 was passed in August 2016 Council meeting as follows;

16113 LONGMORE/STEVENSON

That Council support the Nannup Men's Shed in acquiring portion of Reserve 26684 for Men's Shed operations. In respect to financial support, Council indicates that assistance would be provided in clearing the required land for buildings but infrastructure costs would have to be grant driven.

CARRIED (7/0)

On the 16th of May a Development Application has been submitted for the development of the parcel, within this application it was requested if Council to consider waiving the application fee associated.

COMMENT:

In summary there are the three requests;

- a. Assistance in clearing the parcel of land where the Nannup Men's Shed is to be located.

It is believed that the original intention of Council in assisting with the clearing was via the use of the Shire's own resources (employees and machinery). The Works Manager and the CEO conducted a site visit to determine the type of work and material that was involved in performing the clearing. The site is completely covered in tall timber of which the Shire's machinery is not suitable to perform the work. Further to this, Shire staff are unable to fell trees as a matter of Occupational Health and Safety and the associated risks involved in performing such tasks.

This was advised to the Nannup Men's Shed of which a further letter was written advising of a quote they received from a contractor detailing the total cost to conduct the clearing would be \$1,683. Nannup Men's Shed have requested Council to fund this cost, or a significant part thereof.

\$1,300 has been identified as available within the current 17/18 budget if Council wish to grant this contribution.

- b. Allowing part (a) be included within their application as in-kind contribution within their applications to various funding bodies.

The CEO discussed the intent of this with Nannup Men's Shed and advised that this would need to be included as a contribution from the Shire of Nannup towards the project.

- c. Waiving of the development application fee.

The development application fee is \$147, which represents the minimum fee applicable to a development application. This would be an insignificant amount if Council wished to waive this fee.

Further discussion with the Nannup Men's Shed identified that funding of \$12,000 has been received for the project. The quotation received for site works is approximately \$15,000, which includes \$1,683 in clearing costs. The costs associated with constructing any buildings does not form part of this agenda item. Nannup Men's Shed have advised they have \$18,000 of their own money of which is anticipated to go towards construction costs.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

FNC 3 – Community Group Grants and Donations

FINANCIAL IMPLICATIONS:

Contribution towards the land clearing at Lot 251 on DP 412171 - \$1,300
Waiver of Development Application Fee (In-Kind) - \$147
Total Contribution is \$1,447

STRATEGIC IMPLICATIONS:

Strategic Community Plan 2017 -2027

Focus point 5.1 - Listen

To listen and partner with our community leaders and all our diverse groups.

Strategies

Support of existing and emerging community groups.

Action

Provide community funding and support for events and community groups.

Responsibility

Facilitator

RECOMMENDATION:

That Council:

1. Approve a contribution of \$1,300 to the Nannup Men's Shed towards the contractor costs of clearing the Nannup Men's Shed site.
2. Allow this contribution to be included as one from the Shire of Nannup towards the Nannup Men's Shed project for any future funding applications associated with the Nannup Men's Shed project.
3. Waive the Application Fee of \$147 attached to the Development Approval of the Nannup Men's Shed site.

VOTING REQUIREMENTS:

Simple Majority

18083 HANSEN/FRASER

That Council:

- 1. Approve a contribution of \$1,300 to the Nannup Men's Shed towards the contractor costs of clearing the Nannup Men's Shed site.***
- 2. Allow this contribution to be included as one from the Shire of Nannup towards the Nannup Men's Shed project for any future funding applications associated with the Nannup Men's Shed project.***
- 3. Waive the Application Fee of \$147 attached to the Development Approval of the Nannup Men's Shed site.***

CARRIED (7/0)

AGENDA NUMBER:	12.3
SUBJECT:	Proposed partial closure of the old East Nannup Road reserve adjoining Lots 11184 & 11185 Hayes Road, East Nannup
LOCATION/ADDRESS:	Lot 11184 Hayes Road, East Nannup
NAME OF APPLICANT:	Sharyn Gibellini
FILE REFERENCE:	A1727
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	14 May 2018
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.3.1 - Correspondence and plan from applicant 12.3.2 - Location map 12.3.3 – Email from Department of Planning, Lands and Heritage

BACKGROUND:

An application has been made to permanently close a portion of the old East Nannup Road reserve which adjoins Lots 11184 and 11185 Hayes Road, East Nannup and once closed, for it to be amalgamated into Lot 11184 on Plan 204907. The applicant's request is outlined in Attachment 12.3.1.

The location of the road reserve is shown in Attachment 12.3.2. The area is approximately 12 kilometres southeast of the Nannup Townsite.

The new alignment of East Nannup Road to the west of Lot 11184 was gazetted on 2nd August 1963 following a resolution of Council to resume land for the purpose of a new road in December 1955. The old East Nannup Road reserve to the east of Lot 11184 was believed by the previous owner, and the applicant, to have been closed at this time however enquiries to the Department of Planning, Lands and Heritage have confirmed that this did not occur as shown in Attachment 12.3.3.

Since purchasing Lot 11184, the applicant has constructed a substantial dam which is located across the old East Nannup Road reserve and into the adjoining Lot 11185. The dam is utilised by the owners of both properties and the applicant does not seek to prevent access to this water supply by the owner of Lot 11185.

The constructed gravel road previously contained within the old East Nannup Road reserve no longer exists and has been converted to pasture.

COMMENT:

It is suggested that the Council initiates permanent partial road closure of the old East Nannup Road reserve and agrees that it be amalgamated into adjoining Lot 11184 on

Plan 204907. The superfluous road reserve has been in place since the realignment of East Nannup Road approximately 55 years ago and the land has been converted to farmland.

The applicant has ensured that the owner of Lot 11185 will retain legal vehicular access to their property with a section of the old East Nannup Road reserve to remain between Hayes Road and the proposed closed section. The applicant has also advised that they do not intend to prevent the owner of Lot 11185 from accessing water from the dam however it is suggested that Council should recommend to the applicant that any arrangement for water access should be legally formalised either through the creation of an easement or via a deed.

If Council agrees, the Shire administration will advertise the resolution to initiate a partial road closure in a newspaper circulating in the district for a period of 35 days, write to and invite comments from stakeholders and government agencies, place public notices on community noticeboards, place details on the Shire website and at the Shire office. Following the close of the consultation period, the Council and the Shire administration will consider the submissions and determine whether to request the Minister to close the unnamed road reserve.

The road reserve closure and acquisition process usually takes considerable time to complete, often in the order of years, with most of the process and associated time associated with State Government agencies.

STATUTORY ENVIRONMENT:

Land Administration Act and Land Administration Regulations. A Council resolution is required to initiate the road closure process.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The applicant has paid the application fee in accordance with the Council's fees and charges and will meet all costs associated with the process including survey, land acquisition, State Government administration fees and land amalgamation fees.

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council:

1. Agree to initiate a request for permanent partial road reserve closure action of the section of old East Nannup Road adjoining Lots 11184 and 11185 Hayes Road, East Nannup, under section 58 of the Land Administration Act 1997 subject to the closed partial road reserve being amalgamated into adjoining Lot 11184 on Plan 204907.
2. Recommend that the owners of Lots 11184 & 11185 legally formalise access to the dam via easements and/or a deed.

VOTING REQUIREMENTS:

Simple Majority

18084 HANSEN/FRASER

That Council:

1. ***Agree to initiate a request for permanent partial road reserve closure action of the section of old East Nannup Road adjoining Lots 11184 and 11185 Hayes Road, East Nannup, under section 58 of the Land Administration Act 1997 subject to the closed partial road reserve being amalgamated into adjoining Lot 11184 on Plan 204907.***
2. ***Recommend that the owners of Lots 11184 & 11185 legally formalise access to the dam via easements and/or a deed.***

CARRIED (7/0)

AGENDA NUMBER:	12.4
SUBJECT:	Budget Monitoring – April 2018
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 15
AUTHOR:	Robin Lorkiewicz – Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	15 May 2018
ATTACHMENTS:	12.4.1 - Financial Statements for the period ending 30 April 2018

BACKGROUND:

Local Government (Financial Management) Regulation 34(1) requires that Council report monthly on the financial activity from all the various operating and capital divisions. Council has adopted a variance threshold of 10% or \$30,000, whichever is the greater on which to report. The statutory statements are appended at Attachment 12.4.1.

Whilst this has resulted in all variances of 10% being identified and reported, it only focuses attention on the performance to the month in question and not the likely outturn at the end of the year.

Monthly reporting draws on the flexibility allowed in the Financial Management Regulations to draw attention to likely under and overspends at the end of the year.

COMMENT:

Please refer to the attachment, Financial Statements for period(s) ending 30 April 2018 for a detailed analysis of our end of year position, Note 2.

STATUTORY ENVIRONMENT:

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

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The attached financial statements detail financial outcomes for 2017/18.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

Monthly Financial Statements for the period ending 30 April 2018 be received.

VOTING REQUIREMENTS:

Simple Majority.

18085 STEVENSON/STEER

Monthly Financial Statements for the period ending 30 April 2018 be received.

CARRIED (7/0)

AGENDA NUMBER:	12.5
SUBJECT:	Monthly Accounts for Payment - April 2018
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Lorkiewicz –Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT	15 May 2018
ATTACHMENT:	12.5.1: Accounts for Payment – April 2018

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 April 2018 to 30 April 2018 as detailed hereunder and noted on the attached schedule, are submitted to Council.

COMMENT:

If Councillors have questions about individual payments prior notice of these questions will enable officers to provide properly researched responses at the Council meeting.

There is currently one corporate credit card in use. A breakdown of this expenditure in the monthly financial report is required to comply with financial regulations. This breakdown is included within the attachments.

Municipal Account

Accounts paid by EFT	10419 – 10517	420,366.39
Accounts paid by cheque	20266 – 20271	4,161.23
Accounts paid by Direct Debit	DD10124.1 – DD10136.7	36,598.65
<i>Sub Total Municipal Account</i>		\$461,126.27

Trust Account

Accounts paid by EFT	10458-10459 & 10518	4,165.21
Accounts Paid by cheque		0.00
<i>Sub Total Trust Account</i>		\$4,165.21
Total Payments		\$465,291.48

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 13

POLICY IMPLICATIONS:

None.

FINANCIAL IMPLICATIONS:

As indicated in Schedule of Accounts for Payment.

STRATEGIC IMPLICATIONS:

None.

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$465,291.48 1 April 2018 to 30 April 2018 in the attached schedule be endorsed.

VOTING REQUIREMENTS:

Simple Majority.

18086 STEVENSON/LONGMORE

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$465,291.48 1 April 2018 to 30 April 2018 in the attached schedule be endorsed.

CARRIED (7/0)

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

13.1 OFFICERS

13.2 ELECTED MEMBERS

14. MEETING CLOSED TO THE PUBLIC

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

17. CLOSURE OF MEETING

The Shire President declared the meeting closed at 5.07pm.