



Shire of  
**Nannup**  
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# Minutes

**Ordinary Council Meeting held  
Thursday 28 February 2019**

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# Minutes

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

The Shire President declared the meeting open at 4.31pm.

## **2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

(previously approved)

Shire President: Cr T Dean

Councillors: R Mellema, C Buckland, P Fraser, N Steer, V Hansen and C Stevenson, R Longmore.

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

### **VISITORS:**

Ian Gibb

Julie Kay

Rita Stallard (Mrs Stallard left the meeting at 4.55pm)

Kerri Firth

Len Gilchrist (Mr Gilchrist left the meeting at 4.48pm).

Georgina and Heath Dobson entered the meeting at 4.51pm and left the meeting at 4.55pm.

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

Mr Gilchrist and Mrs Stallard had questions taken on notice at the January 2019 Ordinary Meeting; these have been responded to in writing.

These letters of response have been included with these Minutes as attachment 3.1 and 3.2.

#### 4. PUBLIC QUESTION TIME

##### **Mrs Rita Stallard – East Nannup Road**

Glad to see the times were recorded in the Minutes of when people leave the room.

##### **Question 1**

In regards to when people are provided a written response when a question is taken on notice, why are these responses not included in the Minutes for the public to see what it was?

##### **This question was referred to the Chief Executive Officer:**

The letters sent to people whose questions have been taken on notice are a public record and as such are available to be viewed. Going forward we can include these responses in the Minutes.

##### **Question 2**

Parts of my sixth question from January's Ordinary Council Meeting were incorrectly recorded in the Minutes; can this please be altered?

##### **Shire President:**

We do copy verbatim from the record.

##### **Rita Stallard:**

I don't think so, I did not say those things in that order and I did not say some of those words. It is not correct Mr President and I would like to view those tapes at a convenient time.

##### **Shire President:**

We will go back and review the tape and I will refer that to the Chief Executive Officer for follow up.

##### **Question 3**

Has the Shire written to Main Roads regarding question 6 of the Minutes as I requested?

##### **Shire President:**

No letter has been written to Main Roads as of yet.

##### **Question 4**

In regard to my ninth question from January's Ordinary Council Meeting Minutes; the Chief Executive Officer said with regard to where the donkey (old boiler) that

the Shire has to keep in mind that the different groups at the Recreation Centre will need to be consulted, why and who are they?

**This question was referred to the Chief Executive Officer:**

I was referring to other groups that use those facility as it is good process. These could be Sports Council, Basketball and all of those groups that use that facility.

**Rita Stallard:**

No one uses that part of the facility that I mention where the donkey (old boiler) used to be.

**Shire President:**

There are currently showers, toilets and drainage in that location for the camping on the weekend (linked to the Music Festival); they are not taking up the entire area but they are there.

**Question 5**

I was told that a local was charged \$187 to drop off a trailer load of rubbish at the rubbish tip and I would like to know if it is true.

**This question was referred to the Chief Executive Officer:**

We will take this question on notice.

**Question 6**

Can the dog walkers of town have a bin placed on the north west corner of the gold course for dropping dog disposal bags into?

**Shire President:**

If my memory serves me well, there was a mutual obligation between the dog walkers and the golf club whereby the golf club at the time said they didn't mind the dog walkers providing their own bins and some of their servicing. In terms of the dog walkers getting together and wanting to provide their own bins in strategic points, I would imagine the golf club would not have a problem as I the President of the Golf Club would not have an issue with it.

**Question 7**

In relation to the recent fire emergency, was inside the sports club used during the emergency?

**Shire President:**

The toilets were opened and used and referred the question to the Chief Executive Officer for further information.

**Chief Executive Officer:**

I can confirm the Community Room was used as part of an evacuation centre, the toilets in the sports pavilion near the basketball courts were used and the toilets were accessed from the external glass door in the function room

**Question 8**

The recreation centre itself, not the sports club is the designated evacuation centre as per the why one of the grants for funding the centre were received, making the recreation centre the evacuation centre and the function room to be the kitchen area, is that not true?

**Shire President:**

As Chairman of LEMC (Local Emergency Management Committee) and talking to its members from various parties throughout the South West, they don't like to pre-empt or designate evacuation centres; the reason being to not create confusion if an area where an identified evacuation centre could be located is under threat; the groups that run those evacuation centres don't want evacuees turning up to find either no services or be in a dangerous situation. The lead agencies for these centres say to not designate facilities for evacuation centres because they don't want that to become part of the psyche of the population.

**Rita Stallard:**

Are you aware that is part of the psyche? As I could only see impossibility or difficulty reaching such an evacuation centre in the recent emergency.

**Shire President:**

We are aware and it shouldn't be.

**Question 8**

Does the Shire do anything towards helping at the community garden?

**This question was referred to the Manager Infrastructure:**

The shire does provide some assistance through providing staff labour from the gardening team.

**Rita Stallard:**

Does the Shire have anything to do with the blue metal that has been spread there?

**This question was referred to the Manager Infrastructure:**

I am not aware of that.

**Rita Stallard:**

Can a person source blue metal through the Shire?

**This question was referred to the Manager Infrastructure:**

Not at this time.

## **Mr Len Gilchrist – Blackwood River Drive**

### **Question 1**

Does the Council hold first mortgage for the property recently purchased for the Nannup Music Club? If not, who does?

#### **Shire President:**

Yes, the Shire does.

### **Question 2**

Bearing in mind that Council has \$350,000 at stake if the Nannup Music Club falls over, did the Nannup Music Club approach a banker prior to approaching the Council.

#### **Shire President:**

That is a question you will have to ask the Nannup Music Club.

#### **Len Gilchrist:**

Your supposed to know. If yes, what was the result?

#### **Shire President:**

You will have to ask the Nannup Music Club whether they approached a banker.

### **Question 3**

What you say around this table and the people you've got sitting around you, is that law? It's not a court of law is it?

#### **Shire President:**

Quasi-judicial

#### **Len Gilchrist:**

Why were the words changed from 'supposedly' to 'possibility' when I got the letter?

#### **Shire President:**

Can you please put that in writing?

#### **Len Gilchrist:**

I'm asking you, you said 'supposedly'.

#### **Shire President:**

I didn't write the letter.

#### **Len Gilchrist:**

You did say it, don't lie, you're lying again.

**Shire President:**

Mr Gilchrist please calm down. Can you please put that in writing so we can respond to you in writing.

**Len Gilchrist:**

You said it, it was on tape. I spoke with Cr Mellema, Cr Fraser, Cr Buckland and Cr Hansen who said we were mortified and stunned, and yes you did say it, why?

**Shire President:**

I am unsure on what you are talking about, can you please put it in writing.

**Question 3**

Why is it, that we cannot get things on the agenda because I gave the Chief Executive Officer a letter 3 weeks ago stating a few things and they weren't included. They were supposed to be put in there and his excuse was the fires; the fires weren't here 3 weeks ago as they were here last Tuesday.

**This question was referred to the Chief Executive Officer:**

How I received those questions that you handed me on a piece of paper was that you wanted me to raise them as a Council agenda item. At that time, I responded that I will review those questions. Later that day we had a conversation and my response was that your questions, being in relation to the Music Club, had already been answered in previous conversations.

**Len Gilchrist:**

I can categorically say what Peter Clarke said when he wasn't here, and that you categorically said that it was because of the fires.

**Shire President ruled Mr Gilchrist out of order and that no response was required and requested Mr Gilchrist to please sit down.**

**Len Gilchrist:**

You're a liar, you're a liar (repeated 2 more times).

**Shire President:**

Mr Gilchrist you're disrupting the meeting (repeated 2 more times).

Mr Gilchrist left the room at 4:48pm.

**The Shire President addressed the meeting about the extent of the harassment that he as the Shire President receives from Mr Gilchrist. Mr Gilchrist has been going to various media outlets, members of parliament, the South West Development Commission and various other government agencies, making unfounded accusations about the Shire President being corrupt and a liar and should be in jail. The Shire President feels these are vexatious accusations and no matter what information is provided to Mr Gilchrist he will not change his behaviours. The Shire President requested the Chief Executive Officer to investigate whether Mr Gilchrist can be declared vexatious under the current legislation.**

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

**19015 BUCKLAND/STEER**

*Cr Longmore be granted a leave of absence from the May 2019 Ordinary Council Meeting.*

**CARRIED (8/0)**

**6. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**7. DECLARATIONS OF INTEREST**

Cr Tony Dean and Cr Norman Steer declared an Impartiality Interest in Item 12.6 – Community Group Request as they are members of the Nannup Golf Club.

David Taylor and Tracie Bishop declared a Financial Interest in Item 14.1 – Acting Chief Executive Officer.

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**19016 LONGMORE/HANSEN**

*That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 22 January 2019 be confirmed as a true and correct record.*

**CARRIED (8/0)**

## 9. MINUTES OF COUNCIL COMMITTEES

### 19017 MELLEMA/STEVENSON

#### 9.1 Audit Advisory Committee

*That the Minutes of the Shire of Nannup Audit Advisory Committee meeting held 27 November 2018 be received.*

#### 9.2 Bush Fire Advisory Committee

*That the Minutes of the Shire of Nannup Bush Fire Advisory Committee meeting held 4 February 2019 be received.*

#### 9.3 Local Emergency Management Advisory Committee

*That the Minutes of the Shire of Nannup Local Emergency Management Advisory Committee meeting held 6 February 2019 be received.*

**CARRIED (8/0)**

## 10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Shire President presented the Australia Day Youth Citizenship Award to Heath Dobson as he was unable to attend the ceremony on Australia Day.

Shire President acknowledged Thursday 28 February as being Thank a Firey Day and expressed thanks and gratitude on behalf of the Council for their ongoing efforts throughout the year.

## 11. REPORTS BY MEMBERS ATTENDING COMMITTEES:

<b>Date</b>	<b>Meeting</b>	<b>Councillor</b>
5 February	Warren Blackwood Alliance of Councils	Dean, Longmore
5 February	Southern Forrest & Blackwood Valley Local Tourism Organisation	Dean, Longmore
4 February	Bush Fire Advisory Committee	Fraser, Stevenson, Mellema.
28 February	Audit Advisory Committee	Dean, Mellema, Stevenson, Steer, Hansen, Buckland, Fraser, Longmore.
6 February	Local Emergency Management Committee	Dean

## 12. REPORTS OF OFFICERS

AGENDA NUMBER:	12.1
SUBJECT:	Delegated Planning Decisions for January 2019
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	Various
FILE REFERENCE:	TPL18
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	5 February 2019
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.1 – Register of Delegated Development Approvals

### BACKGROUND:

To ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve Application for Development Approval that meet the requirements of both Local Planning Scheme No.3 (LPS3) and adopted Council policy.

Delegated planning decisions are reported to Council on a monthly basis to ensure that Council has an appropriate level of oversight on the use of this delegation. A Register of Delegated Development Approvals, detailing those decisions made under delegated authority in January 2019 is presented in Attachment 12.1.1.

### COMMENT:

As shown in the attachment, each application has been advertised in accordance with LPS3 and Council's adopted Local Planning Policy *LPP5 Consultation* as detailed in the Policy Implications section of this report.

During January 2019, five (5) development applications were determined under delegated authority. The table below shows the number and value of development applications determined under both delegated authority and by Council for January 2019 compared to January 2018:

	January 2018	January 2019
<b>Delegated Decisions</b>	1 (\$22,000)	5 (\$385,252)
<b>Council Decisions</b>	0	0
<b>Total</b>	<b>1 (\$22,000)</b>	<b>5 (\$385,252)</b>

**STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005, Local Government Act 1995 and LPS3.*

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

**POLICY IMPLICATIONS:**

Applications for Development Approval must be assessed against the requirements of LPS3 and Local Planning Policies adopted by Council. These Policies include Local Planning Policy *LPP5 Consultation* which details the level and scope of advertising required for Applications for Development Approval.

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

**FINANCIAL IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

Nil.

**RECOMMENDATION:**

That Council receives the report on Delegated Development Approvals for January 2019 as per Attachment 12.1.1.

**19018 STEVENSON/LONGMORE**

***That Council receives the report on Delegated Development Approvals for January 2019 as per Attachment 12.1.1.***

***CARRIED (8/0)***

AGENDA NUMBER:	12.2
SUBJECT:	Compliance Audit Return 2018
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Department of Local Government, Sport and Cultural Industries
FILE REFERENCE:	ADM 14
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	Not Applicable
DATE OF REPORT	18 February 2019
ATTACHMENT:	12.2.1 – Compliance Return Audit 2018

### **BACKGROUND:**

Council is required by Section 14 of the Local Government Audit Regulations 1996 to complete a Compliance Audit Return each year covering the period 1 January to 31 December. The Compliance Audit Return is to be:

1. Presented to Council at a meeting of the Council.
2. Adopted by the Council.
3. The adoption recorded in the minutes of the meeting at which it is adopted.
4. Signed by the Shire President and the Chief Executive Officer and returned to the Department of Local Government, Sport and Cultural Industries (through their Hub Portal) by 31 March each year.

The Return must also be reviewed by the Audit Committee prior to its adoption by Council.

### **COMMENT:**

The Annual Compliance Return contains 95 questions of which:

- 56 were complied with;
- 39 were not applicable to the Shire of Nannup during the year under review, and;
- There were no matters that were detected to be non-compliant.

### **STATUTORY ENVIRONMENT:**

Section 14 of the *Local Government Audit Regulations 1996*

*“14. Compliance audits by local governments*

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be –*
  - a. *Presented to the council at a meeting of the council; and*
  - b. *Adopted by the council; and*
  - c. *Recorded in the minutes of the meeting at which it is adopted.*

**Section 15 of the Local Government Audit Regulations 1996**

*“15. Certified copy of compliance audit return and other documents to be given to Departmental CEO.*

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with –*
  - (a) *A copy o the relevant section of the minutes referred to in regulation 14(3)(C); and*
  - (b) *Any additional information explaining or qualifying the compliance audit, Is to be submitted to the Department CEO by 31 March next following the period to which the return relates.*
- (2) *In this regulation –*
  - certified in relation to a compliance audit return means signed by –*
    - (a) *The mayor or president; and*
    - (b) *The CEO.”*

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**STRATEGIC IMPLICATIONS:**

Nil

**AUDIT COMMITTEE RECOMMENDATION:**

That Council adopts the Local Government Compliance Audit Return for the Shire of Nannup for the period 1 January 2018 to 31 December 2018, noting that there were no areas of non-compliance, and therefore, Council authorises the Shire President and the Chief Executive Officer to sign and submit the report to the Department of Local Government, Sport and Cultural industries.

**19019 STEER/BUCKLAND**

***That Council adopts the Local Government Compliance Audit Return for the Shire of Nannup for the period 1 January 2018 to 31 December 2018, noting that there were no areas of non-compliance, and therefore, Council authorises the Shire President and the Chief Executive Officer to sign and submit the report to the Department of Local Government, Sport and Cultural industries.***

**CARRIED (8/0)**

AGENDA NUMBER:	12.3
SUBJECT:	Budget Amendment
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	18 February 2019
ATTACHMENT:	Nil

## BACKGROUND:

As per the Local Government Act 1995 (*The Act*) a Local Government is not to incur any expenditure that was not included within the annual budget unless this additional expenditure was authorised by Council **prior** to expenditure occurring. This is shown at Section 6.8 of the Act where it states:

### 6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* *Absolute majority required.*

- (1a) In subsection (1) —

**additional purpose** means a purpose for which no expenditure estimate is included in the local government's annual budget.

## COMMENT:

Included within the Budget Review for 2018/19 were line items addressing the Bushfire Mitigation Funding. Within this area there was reference to Council's own source gravel being used for the completion of this project. The charge for this gravel supply was then expensed to the MAF funding with the income received being credited to Council's Gravel Reserve Fund. This resulted in a reserve transfer of \$142,000 being endorsed by Council at the January 2019 Ordinary Meeting of Council. At the time of the budget review officers were of the impression that Council would not have the opportunity to restock this gravel supply until the next financial year.

It has now been negotiated that gravel crushing within the Council controlled gravel pit at Bird Pit can be completed within this financial year. As a result, officers require Councillors to endorse this additional budget amendment in order for this to occur. Quotes for this purpose have been called from three suppliers and assurances given that should Council endorse this amendment this crushing can be completed in the near future.

**STATUTORY ENVIRONMENT:**

The Local Government Act 1995, S6.8

**POLICY IMPLICATIONS:**

None.

**FINANCIAL IMPLICATIONS:**

Increase in expenditure 2018/19 offset by a Gravel Reserve transfer in.

**STRATEGIC IMPLICATIONS:**

None.

**RECOMMENDATION:**

That Council approve the following budget amendments for the 2018/19 budget;

1. \$140,000 worth of expenditure to carry out gravel crushing activities;  
and;
2. the \$140,000 is funded through a transfer from the Gravel Reserve.

**19020 MELLEMA/LONGMORE**

***That Council approve the following budget amendments for the 2018/19 budget;***

- 1. \$140,000 worth of expenditure to carry out gravel crushing activities;  
and;***
- 2. the \$140,000 is funded through a transfer from the Gravel Reserve.***

**CARRIED (8/0)**

AGENDA NUMBER:	12.4
SUBJECT:	Budget Monitoring – January 2019
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	19 February 2019
ATTACHMENT:	12.4.1 – Financial Statements for the period ending 31 January 2019

**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 ending 31 January 2019 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 2018/19.

**STRATEGIC IMPLICATIONS:**

Nil.

**RECOMMENDATION:**

Monthly Financial Statements for the period ending 31 January 2019 be received.

**19021 BUCKLAND/STEVENSON**

*Monthly Financial Statements for the period ending 31 January 2019 be received.*

***CARRIED (8/0)***

AGENDA NUMBER:	12.5
SUBJECT:	Monthly Accounts for Payment - January 2019
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:	19 February 2019
ATTACHMENT:	12.5.1 – Accounts for Payment – January 2019

**BACKGROUND:**

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 January 2019 to 31 January 2019 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	11268 – 11359	178,881.33
Accounts paid by cheque	20340 – 20347	1,862.93
Accounts paid by Direct Debit	DD10375.1 – DD10375.15	65,326.27
<i>Sub Total Municipal Account</i>		<u>\$246,070.53</u>

**Trust Account**

Accounts paid by EFT	11310- 11311	957.21
Accounts Paid by cheque	22809 - 22809	200.00
<i>Sub Total Trust Account</i>		<u>\$1,157.21</u>

**Total Payments**

\$247,227.74

**STATUTORY ENVIRONMENT:**

LG (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 \$247,227.74 1 January 2019 to 31 January 2019 in the attached schedule(s) be endorsed.

**19022 MELLEMA/STEER**

***That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$247,227.74 1 January 2019 to 31 January 2019 in the attached schedule(s) be endorsed.***

***CARRIED (8/0)***

***Cr Dean and Cr Steer both declared an Impartiality Interest in Agenda Item 12.6 as they are both members of the Nannup Golf Club.***

AGENDA NUMBER:	12.6
SUBJECT:	Community Group Request
LOCATION/ADDRESS:	Reserve
NAME OF APPLICANT:	Nannup Golf Club
FILE REFERENCE:	
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	27 February 2018
ATTACHMENTS:	12.6.1 - Letter from Nannup Golf Club

**BACKGROUND:**

Mrs Lorraine Learmond has written to Council as Secretary for the Nannup Golf Club asking if Council would be prepared to purchase a three-point linkage mower on behalf of this organisation. The Nannup Golf Club would then reimburse Council for the total net cost of this purchase.

The reasoning behind this request is firstly that Council has a better purchasing ability than the golf club and secondly the golf club is not registered for GST and as such incurring this additional expense.

**COMMENT:**

The Nannup Golf Club is a community run sporting group that encourages all ages of the community to keep active and social as a result of becoming involved with this sport. Recently it has begun having a ladies' competition as well as running junior golfing workshops. Additionally, the land that the club sits upon is part of land vested with the Shire of Nannup however all upkeep of this parcel i.e. fertilising and mowing is through the members of the golf club. It is therefore in Council's best interest to support this request as opposed to becoming responsible for the upkeep and the added cost and time restrictions this would impose.

The golf course itself is also used not only by the golf club members but also by community members who walk their dogs within this space and as a temporary camping ground for the Nannup Music Festival.

In terms of actual expense to Council this would be negligible. Council would purchase the piece of equipment on behalf of the organisation and then issue an invoice for purchase price minus GST. The GST portion would be included within Council's monthly return. Only cost to Council would be officer time in sourcing goods, issuing purchase order and processing the invoice(s).

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**STRATEGIC IMPLICATIONS:**

Shire of Nannup Community Strategic Plan 2017-2027 – Our Community Leadership  
- Strategy 5.1 Support Existing and Emerging Community Groups.

**RECOMMENDATION:**

That Council request officers to:

1. Write to the Nannup Golf Club advising that Council is happy to support this request and will source and purchase a three-point linkage mower on behalf of the Nannup Golf Club.
2. Upon receiving the invoice from the supplier for the above piece of machinery Council will pay on behalf of the Nannup Golf Club and then issue an invoice for this expense minus GST to recoup the costs.

**19023 HANSEN/LONGMORE**

*That Council request officers to:*

1. *Write to the Nannup Golf Club advising that Council is happy to support this request and will source and purchase a three-point linkage mower on behalf of the Nannup Golf Club.*
2. *Upon receiving the invoice from the supplier for the above piece of machinery Council will pay on behalf of the Nannup Golf Club and then issue an invoice for this expense minus GST to recoup the costs.*

**CARRIED (8/0)**

**The Council added a third point to the recommendation:**

3. **Subject to the Chief Executive Officer clarifying any issues (if any) that may be associated with Council's position relating to the Goods & Services Tax component of the purchase.**

**CARRIED (8/0)**

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

**13.1 OFFICERS**

Nil

**13.2 ELECTED MEMBERS**

Nil

**14. MEETING CLOSED TO THE PUBLIC**  
(Confidential Items)

**14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

David Taylor, Chief Executive Officer and Tracie Bishop, Manager Corporate Services; declared a Financial Interest in Agenda Item 14.1 – Acting Chief Executive Officer. Upon said declaration the Chief Executive Officer and Manager Corporate Services left the meeting at 5.32pm.

**PROCEDURAL RECOMMENDATION:**

*That the meeting be closed to members of the public in accordance with Sections 5.23(2) (a), (b) and (c) of the Local Government Act 1995.*

*(The following report is confidential in accordance with Section 5.23(2)(a),(b) and (c) and of the Local Government Act 1995, being a matter effecting an employee, the personal affairs of a person and a contract that may be entered into by the Local Government)*

**19024 STEVENSON/BUCKLAND**

***That the meeting be closed to members of the public in accordance with Sections 5.23(2) (a), (b) and (c) of the Local Government Act 1995.***

***(The following report is confidential in accordance with Section 5.23(2)(a),(b) and (c) and of the Local Government Act 1995, being a matter effecting an employee, the personal affairs of a person and a contract that may be entered into by the Local Government)***

**CARRIED (8/0)**

The meeting was closed to the public at 5.33pm.

AGENDA NUMBER:	14.1
SUBJECT:	Acting Chief Executive Officer
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor
FILE REFERENCE:	Employee File
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Financial Interest – David Taylor – Chief Executive Officer
DATE OF REPORT	17 February 2019
ATTACHMENTS:	Nil

**PROCEDURAL RECOMMENDATION:**

*That the meeting be opened to the members of the public in accordance with Sections 5.23(1) (a) and (b) of the Local Government Act 1995.*

**19026 STEVENSON/STEER**

*That the meeting be opened to the members of the public in accordance with Sections 5.23(1) (a) and (b) of the Local Government Act 1995.*

**CARRIED (8/0)**

The meeting was re-opened to the public at 5.35pm.

**14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC**

Nil.

**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 5.36pm.

13 February 2019

Mr Len Gilchrist  
[REDACTED]

COPY

Our Ref: ADM 4

Dear Mr Gilchrist,

### RESPONSE TO QUESTION TAKEN ON NOTICE

I refer to your question below posed to Council at its Ordinary meeting held on Tuesday 22<sup>nd</sup> January 2019 and Council's response regarding same:

Question taken on notice at Ordinary Meeting of Council held on 22 January 2019;

*"I've got a problem with the kangaroos out the back of my place and its costing me a lot of money. If I have to put up another fence, I'm thinking about billing the Council, because the Council has the right to employ a person to do a proper cull, there is one in Town. I cannot understand why they won't do it at night time. I've had to spend a lot of money on wire, I think Cr Longmore is in the same position, I can see the kangaroos on my place, on his place and all around the area. This is not a joke; it is not a joke."*

Thank you for your patience in receiving a response, I have been waiting on advice from the Department of Biodiversity, Conservation and Attractions on the situation, that advice is as follows;

Western Grey Kangaroos are classified as managed fauna in the Shire of Nannup under the *Biodiversity Conservations Regulations 2018*, however Western grey Kangaroos can only be taken by means of a firearm and in accordance with the *Code of Practice* and only when the kangaroo is causing, or is reasonable expected to cause, damage to an agricultural activity or related agricultural infrastructure. Given that all the residential or reserve blocks backing onto the river in that area are not used for agricultural activity (as defined in the *Biosecurity and Agriculture Management Act 2007*, the provisions of the managed fauna do not exist.

Therefore, to manage kangaroos on private property in the current circumstances there are a couple of options;



1. Engage a *Regulation 23* – Fauna taking commercial products licensed person (i.e. commercial kangaroo shooter). These licensed operators only need permission from the land manager and can take the kangaroos when they are causing damage as defined in the *Regulations*.
2. Landowner/Lessee apply for a Fauna Causing Damage License – this can be done through contacting wildlife licensing where conditions will be placed on the license. The contact email is [wildlifelicencing@dbca.wa.gov.au](mailto:wildlifelicencing@dbca.wa.gov.au)
3. Engage deterrents and exclusion methods to reduce the impact of any damage. Please refer to the attached fencing suitable for kangaroos supplied by the Department of Biosecurity Conservation and Attractions.

The Shire of Nannup at this point in time is not prepared to engage a Commercial Kangaroo Shooter. Due to your circumstances, property size and proximity to other properties the recommendation from the Department of Biosecurity Conservation and Attractions would be to have fencing suitable for excluding kangaroos from your property.

For further information, please contact the Department of Biosecurity Conservation and Attractions.

Yours sincerely,

**DAVID TAYLOR**  
**CHIEF EXECUTIVE OFFICER**





No. 32

## Fencing and gates to reduce kangaroo damage

The use of suitable fences and gates can reduce kangaroo damage to crops, pasture and fences by either excluding the animals or by allowing them to pass through fences without causing damage. In areas where shooting kangaroos is not possible, suitable fences and gates offer a viable alternative and should be considered when setting up a property or considering the establishment of new crops.

### Choosing fencing and gates

Fences are multi-purpose, long-term investments and it is important to consult widely to ensure that:

- The right design is chosen and correctly erected.
- The severity of the damage warrants the proposed expenditure on fencing.

### Costs

The costs of fencing and gates vary widely. Generally, the largest component is the cost of labour but the cost of fencing components also varies widely and landholders are advised to compare prices before buying materials.

Maintaining standing fences and gates and clearing vegetation along fence lines is an extremely important part of excluding wildlife and containing stock. The costs of this should be taken into account when preparing a budget.

### Shooting as a control option

Destruction of kangaroos by shooting can be an effective way to reduce the damage they cause. However, in settled areas, shooting is usually permitted only as a one-off short-term measure to achieve an initial reduction in the population. Long-term damage reduction must be managed by other means such as fencing and gates.

Repeated shooting in settled areas can lead to local extinctions of kangaroos and the use of high-powered firearms can be dangerous. Licences may be required in some areas (See the fauna notes listed under further reading for more information).

### Preventing fence damage

Choosing fencing that enables kangaroos to easily pass through (plain wire instead of ringlock fencing) can reduce fence damage and associated repair costs. Another means of preventing fence damage

is to install stock-proof access gates that enable kangaroos to move through fences.

Where total exclusion of kangaroos is needed to protect crops or pasture, a combination of some shooting and fencing may be required.

### Fence and gate visibility

The visibility of kangaroo-proof fences and access gates is very important. Irrespective of the design, if an animal cannot see the fence it will not be effective. Fences are most likely to be damaged at sunrise and sunset when kangaroos may attempt to get through the fence.

### Ringlock and plain wire fencing

Kangaroos generally cross fences by crawling through the lower wires or by digging underneath. Their least-favoured option is to jump over fences. Plain wire fences pose less of a barrier to kangaroos than ringlock fences and are easier for the animals to crawl under or through without causing damage. However, both styles of fencing can entangle kangaroos if the animals attempt to jump through or over while being chased.

### Sloped and double fencing

When the movement of a kangaroo is obstructed by a fence that they cannot crawl through or under, they may try to jump over it. They do this by moving as close to the fence as possible and then making an almost vertical jump. The cost-effective answer is to slope the fence away from the approach of the kangaroo at an angle of around 45 degrees. This prevents the kangaroo from getting close enough to the top wire to jump over.

Another method is to run two parallel fences, so kangaroos cannot get close enough to jump over them. The outside fence is usually much lower than the inner fence.

### Electric fencing

Electric fences have been thoroughly researched and can be effective in excluding kangaroos if the correct design is installed.

Electric fences have the following advantages over other fence designs.

- **Low construction cost.** The major advantage of electric fences over conventional fences is that animals avoid them and thus their construction does not have to be as robust. This usually translates into lower construction costs in comparison with conventional fences. Existing fences can also be electrified as an alternative to upgrade or replacement.
- **Non-lethal control method.** Many sections of the community support the use of electric fences to exclude kangaroos because the animals do not have to be killed.
- **Multi-purpose.** As well as containing stock and excluding kangaroos, suitably designed electric fences can also exclude other pest species such as rabbits.
- **Easily erected and sometimes moveable.** Solar or battery power can quickly be utilised for electric fencing. Some fences can be moved to other areas, depending on the vulnerability of crops or the current land use.

## Technical considerations for electric fencing

### Earthing

Ground return fences rely on the soil being moist enough to conduct electricity. In drier areas of the state this may not be practical but can be overcome by incorporating earth wires into the design. In wetter areas, electric fences may be constructed from live wires alone.

### Line clearing

The effective operation of an electric fence requires a fence line clear of vegetation. If the fence is in contact with vegetation, the voltage of the fence may be reduced by short-circuits.

### Dual polarity

The practical problems of completing a fence circuit that ensures an adequate electric shock, has led to alternative developments by manufacturers, including the dual polarity system. In this system, the fence energiser sends out two shock pulses simultaneously, one positive (live) and one negative (earth). Each wire connected to the energiser is charged alternately positive then negative. A shock is received by touching any one wire and the ground, or any two wires.

Frequent earth pegs coupled to a separate return earth wire, which is connected to the energiser, are still required to enhance the ground return in arid conditions.

### Potential problems

Local laws sometimes prohibit the use of electrified boundary fencing. Contact the local government authority for advice before erecting electric fencing.

## Electric fence designs

The fence designs discussed below have been proven to exclude kangaroos.

### McCutchan fence

This design has been researched intensively for its effectiveness in excluding kangaroos. Variations have been used by a number of farmers who report success.

The recommended fence is a two-part construction, 1.8 metres high including 10 wires (Figure 1). The bottom section of the fence leans 45 degrees away from the approach direction of the kangaroo. The fence is one metre high and has eight plain wires, alternating live and earth. The bottom wire is 75-125 millimetres off the ground. The top section consists of two wires (non-electric) held vertically by a pivoting extension designed to tip the fence over, if the fence receives sufficient impact to break a shear peg or wire.

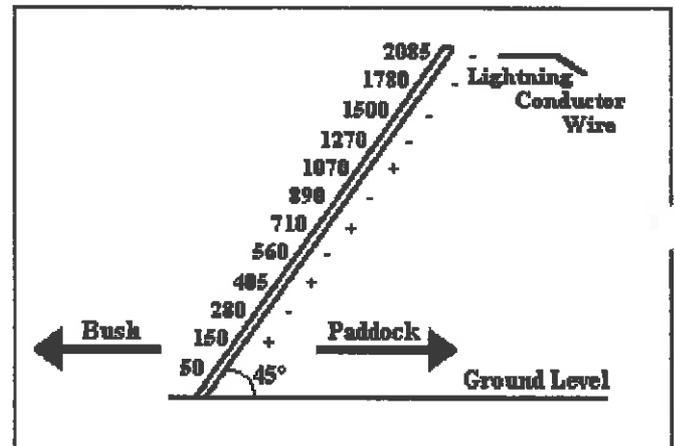


Figure 1 McCutchan fence: a sloping electric fence for kangaroos (modified from McCutchan (1983)). Wire spacings are shown in millimetres from ground level and total post length is 2.13 metres (+ active live wire, - earth wire).

The leaning section can be propped up to allow stock to pass underneath or to facilitate clearing of vegetation. The angled post can also be pivoted at different heights along its length, ensuring that downward pressure is always being applied to the wires and reducing the likelihood of an animal being able to crawl through or underneath. The fence is reported to be an extremely effective barrier to kangaroos and although expensive, has application as a cost effective control technique.

### Other designs

Mark Wardlaw, a sheep farmer in Tasmania had problems with two species of kangaroo. His fence design is a double electric fence construction with the main fence of eleven wires alternating live and earth and a lower outer fence of four wires also alternating live and earth. This fence is claimed to be 90-95 per cent effective as a barrier to kangaroos.

Less complicated electric fences with only three or four wires have also been reported to reduce kangaroo incursions into crops and pastures. For example, a three-wire electric fence system on a pastoral property in Western Australia noticeably reduced the numbers of kangaroos that grazed on the paddocks.

Normal dingo fences comprising about eight plain wires up to a height of about 1.5 metres are reported to provide reasonable control of kangaroos. However, they must be sloped and comprise of eight or nine plain wires alternating earth and live. The gaps between the

wires must be about 20 centimetres, (up to the height of a dingo) with wider gaps above this height.

In one study ringlock fencing, topped by two strands of barbed wire with a plain wire inbetween, virtually eliminated damage to lupin crops.

Deer fencing, consisting of two metre high ringlock fencing with well-strained bottom wires, is also reported to be effective in excluding kangaroos from vineyards.

## Kangaroo access gate

Stock-proof gates that allow kangaroos to pass through without damaging fencing have been developed. One such design has been used successfully in the presence of merino sheep at the CSIRO field station 'Yalanbee', Bakers Hill for about 20 years (Figure 2). This gate can be fitted into an existing fence.

## Specifications

The main gate component consists of a piece of four millimetres by five centimetres weld mesh or similar mesh. It should be a minimum of 50 centimetres high and 45 centimetres wide. A 10mm internal diameter length of pipe should be welded to the top of the mesh, extending it a minimum of 20 millimetres either side of the weld mesh. The bottom of the gate should be formed (as shown in Figure 2), with a bent piece of approximately eight millimetres rod welded to the mesh. This provides a gap with a maximum height about 10 centimetres from the ground, which encourages the kangaroos to push their noses under the gate, which activates the gate.

The gate is simply swung by a five to seven millimetres rod through the 10 millimetres pipe and matching holes in the star posts, with the bottom end just above ground level, allowing the gate to swing freely both ways.

## Siting

The gate should be installed at a position along the fence where kangaroos have already made a hole and in the path of a well-used kangaroo track. Several gates are erected at Yalanbee and the cost and time required for construction are minimal considering the time saved in repairing fences and locating lost sheep.

Experience has shown that once gates are installed in the appropriate position in the fence, kangaroos will quickly learn to use them. The gates have been used by grey kangaroos at Yalanbee and by grey kangaroos and euros in the wheatbelt. The gates would probably be suitable for red kangaroos as well.

## Further reading

- Fauna note no. 29. Western grey kangaroo. DEC, Western

Australia.

- Fauna note no. 30. Western grey kangaroo management plan. DEC, Western Australia.
- Fauna note no. 31. Red kangaroo management plan. DEC, Western Australia.
- Fauna note no. 36. Wildlife trade operation for the euro. DEC, Western Australia.

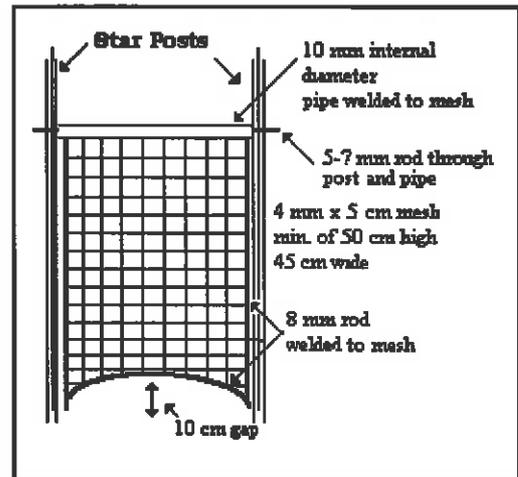


Figure 2 Specifications for the kangaroo access gate used at Yalanbee, Bakers Hill.

## References

- Casey, M.F. (ed.) (1994) Wires and Pliers. Kondinin Group, Perth.
- Campbell, G., Mawson, P.R. and Gray, G. (1990) Electric fences for vertebrate pest management in Western Australia. Tech. Series No. 9. Agriculture Protection Board, South Perth.
- McCutchan, J. (1983) A pivoted electric fence for kangaroos. Dept. of Electrical Engineering, University of Melbourne, Unpublished Report.
- Arnold, G.W., Steven, D.E. and Weeldenburg, J.R. (1989) The use of surrounding farmland by western grey kangaroos living in a remnant of wandoo woodland and their impact on crop production. *Aust. Wildl. Res.* 16: 85-93.

## Further information

Contact your local office of the Department of Environment and Conservation.

See the department's website for the latest information:  
[www.dec.wa.gov.au](http://www.dec.wa.gov.au)

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Department of  
Environment and Conservation

Our environment, our future

13 February 2019

COPY

Mrs Rita Stallard  
[REDACTED]

Our Ref: ADM 4

Dear Mrs Stallard,

**RESPONSE TO QUESTION TAKEN ON NOTICE**

I refer to your question below posed to Council at its Ordinary meeting held on Tuesday 22<sup>nd</sup> January 2019 and Council's response regarding same:

Question taken on notice at Ordinary Meeting of Council held on 22 January 2019 in relation to the Nannup Recreation Centre;

*"Does the school have precedence over any other association?"*

Thank you for your patience in receiving a response, I can confirm that the school does not receive any precedence nor favor in relation to booking the facilities at the Nannup Recreation Centre; bookings are simply taken on a first in first served basis.

Please do not hesitate to contact me on (08) 9756 1018 if you would like to discuss further.

Yours sincerely,

**DAVID TAYLOR**  
**CHIEF EXECUTIVE OFFICER**

