



Shire of  
**Nannup**  
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# Agenda

**Council Meeting to be held Thursday 23 May 2019**

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# 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**

## **4. PUBLIC QUESTION TIME**

## **5. APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Stevenson has applied for a leave of absence from the June 2019 Ordinary Council Meeting.

## **6. PETITIONS/DEPUTATIONS/PRESENTATIONS**

## **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.

Members should make any declarations at the start of the meeting but may declare an interest before the resolution of any agenda item.

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

### **8.1 April 2019 Ordinary Council Meeting**

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 24 April 2019 be confirmed as a true and correct record.

## **9. MINUTES OF COUNCIL COMMITTEES**

### **9.1 Western Australian Local Government Association South West Zone Minutes**

That the Minutes of the Western Australian Local Government Association South West Zone meeting held 3 May 2019 be received.

## **10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

## **11. REPORTS BY MEMBERS ATTENDING COMMITTEES**

## **12. REPORTS OF OFFICERS**

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

### **13.1 OFFICERS**

### **13.2 ELECTED MEMBERS**

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

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

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

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

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

**17. CLOSURE OF MEETING**

# CEO DEPARTMENT

AGENDA NUMBER:	12.1
SUBJECT:	Delegated Planning Decisions for March & April 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:	14 May 2019
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.1.1 – Register of Delegated Development Approvals

## BACKGROUND:

To ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve 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 March & April 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 March & April 2019, six (6) 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 March & April 2019 compared to March & April 2018:

	<b>March &amp; April 2018</b>	<b>March &amp; April 2019</b>
<b>Delegated Decisions</b>	13 (\$446,500)	6 (\$187,400)
<b>Council Decisions</b>	0	0
<b>Total</b>	<b>13 (\$446,500)</b>	<b>6 (\$187,400)</b>

100% of approvals issued in the month of March & April were completed within the statutory timeframes of either 60 or 90 days.

**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 March & April 2019 as per Attachment 12.1.1.

**VOTING REQUIREMENTS:**

Simple Majority

AGENDA NUMBER:	12.2
SUBJECT:	South West Sports Hall of Fame
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	WALGA – South West Zone
FILE REFERENCE:	
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	15 May 2019

### **BACKGROUND:**

The South West Sports Hall of Fame was established in 2002/03 with an election commitment from the Premier, Geoff Gallop along with the South West Development Commission with the following Local Government's;

- City of Bunbury
- City of Busselton
- Shire Harvey
- Shire of Dardanup
- Shire of Collie
- Shire of Boyup Brook
- Shire of Capel
- Shire of Augusta Margaret River
- Shire of Donnybrook Balingup
- Shire of Bridgetown Greenbushes
- Shire of Manjimup
- Shire of Nannup

It was established to recognise the sporting achievements at national and international level by South West residents; with the intent to not only recognise past champions but also inspire future generations.

The South West Sports Hall of Fame is located at the South West Sports Centre in Bunbury as it is recognised as the regional sporting hub for the South West. There were initially 11 sportsmen and sportswomen inducted into the Sports Hall of Fame when it was unveiled in 2004. There have been no further sportspersons inducted since then due to a lack of funding and support from all member organisations.

In 2015, the City of Bunbury received a number of requests for new inductees which coincided with similar requests to other local government members. As a result, DSR requested the formation of a Steering Committee to guide the future direction of the Hall of Fame where \$5,000 was provided to develop a project scope using consultant services to develop the scope under direction from the Steering Committee. Eight members of the original membership chose to form the Steering

Committee which was tasked with developing a plan to induct new athletes that meet the selection criteria whilst also looking to create a greater South West focus.

At this time, it was agreed by the Steering Committee that all Local Governments in the South West should be able to showcase their inductee's achievements as part of the program. The consultant (Gumption) was tasked with replicating the original display cabinets whilst also providing a certificate for each athlete inducted to be provided to their respective local government for public display. Due to the lack of artwork for the original displays the report from Gumption recommended they be replaced with new cabinets and associated certificates for their respective representative local government. The cost to undertake this for each athlete was estimated at \$4,650; which meant that there would be a recurring cost of \$4,650 per athlete inducted into the Sports Hall of Fame thereafter. Following this recommendation produced by Gumption no member councils were prepared to provide the funds identified to further develop the Hall of Fame as it was felt to be cost prohibitive.

Subsequently the City of Bunbury has been undertaking further research to identify alternative and more cost effective options for the Hall of Fame project. The proposed recommendation (below) is provided below and is subject to an agreement from the SW Zone members to jointly fund the project – initially to reactivate the Sports Hall of Fame and subsequently to provide ongoing recurrent funding to facilitate the management, maintenance and future induction of athletes.

### Proposal

Replace the existing display cabinets with an interactive display based at the South West Sports Centre via an interactive touch screen kiosk with associated displays providing information about the South West Hall of Fame, eligibility criteria and information regarding where information about inducted athletes can be accessed at other local government within the region. The touch screen would enable viewers to interact with the display to find out information about specific athletes as well as access media footage of their performance at national and international events.

An initial capital cost to revitalise the current display and create an interactive Hall of Fame that allows easy induction of future athletes meeting the eligibility criteria is estimated at approximately \$40,000 with an ongoing management cost of \$2 - \$3,000 per year to maintain the program and update with any new inductees. The breakdown per member council is as follows;

<b>Local Government Area</b>	<b>Indicative Upfront contribution (based on rates levied)</b>	<b>Indicative Annual Management Cost (based on rates levied)</b>
Augusta-Margaret River	\$4,800	\$360
Boyup Brook	\$460	\$35
Bridgetown-Greenbushes	\$915	\$70
Bunbury	\$8,460	\$635
Busselton	\$10,285	\$770



Capel	\$2,740	\$205
Collie	\$1,370	\$100
Dardanup	\$2,740	\$205
Donnybrook-Balingup	\$1,140	\$85
Harvey	\$4,570	\$340
Manjimup	\$2,060	\$155
Nannup	\$460	\$35

Should member organisations wish to hold an event (annually or every other year) to induct new athletes to the Sports Hall of Fame this will be treated as a separate project.

#### **COMMENT:**

The City of Bunbury recognises the importance of the Hall of Fame being for the whole South West region and is keen to reinvigorate the program with an updated, modern and interactive display that provides interested parties with the option of viewing and interacting with the main display at the South West Sports Centre as well as local displays at a nominated site within each member local government.

History shows no support from member council for any proposal with the main reason being that it is cost prohibitive and there is a misconception that because the Hall of Fame is located in Bunbury it is by default the responsibility of the City of Bunbury.

It has been indicated that if there is no support from member local governments then the City of Bunbury will look to wind-up the South West Hall of Fame project.

Minutes extract from the WALGA SWZ;

*“Moved: Cr T Smith*

*Seconded: Cr T Dean*

*That:*

*That the SW Zone support in principle the proposal to revitalise the South West Hall of Fame and request that member local government commit to a shared funding model for the initial capital cost and ongoing management of the program for a period of 10 years as below:*

<b>Local Government Area</b>	<b>Indicative Upfront contribution (based on rates levied)</b>	<b>Indicative Annual Management Cost (based on rates levied)</b>
<i>Augusta-Margaret River</i>	\$4,800	\$360
<i>Boyup Brook</i>	\$460	\$35
<i>Bridgetown-Greenbushes</i>	\$915	\$70
<i>Bunbury</i>	\$8,460	\$635

<i>Busselton</i>	\$10,285	\$770
<i>Capel</i>	\$2,740	\$205
<i>Collie</i>	\$1,370	\$100
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<i>Donnybrook-Balingup</i>	\$1,140	\$85
<i>Harvey</i>	\$4,570	\$340
<i>Manjimup</i>	\$2,060	\$155
<i>Nannup</i>	\$460	\$35

**STATUTORY ENVIRONMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Shire of Nannup's contribution to South West Sports Hall of Fame;  
Indicative upfront revitalisation contribution                      \$460  
Indicative Annual Maintenance Costs                                      \$35

**STRATEGIC IMPLICATIONS:**

Shire of Nannup Strategic Community Plan

Our Council Leadership

6.1 Lead, Listen, Advocate, Represent and Provide - A listening Leadership that provides and represents all.

Our Council Leadership

6.2 We are one – To do what is right and fair for the people.

**RECOMMENDATION:**

That Council;

1. Agree to participate in the new funding proposal for the South West Sports Hall of Fame on the basis that;
  - a) a Memorandum of Understanding is developed within the South West Country Zone local governments; and
  - b) that the upfront revitalisation contribution for the Shire of Nannup does not exceed \$1,000; and
  - c) that the ongoing annual maintenance costs contribution for the Shire of Nannup does not exceed \$100 annually.
  
2. Authorise the Chief Executive Officer to enter into a Memorandum of Understanding on the basis that the criteria listed in 1 are met.

**VOTING REQUIREMENTS:**

Simple Majority

AGENDA NUMBER:	12.3
SUBJECT:	Southwest Access and Inclusion Alliance
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	WALGA – South West Zone
FILE REFERENCE:	
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	15 May 2019

### **BACKGROUND:**

An item was put forward to the Zone by the City of Busselton at the May 2019 WALGA South West Zone meeting to consider forming a South West Access and Inclusion Alliance within the Member Council's within the South West Zone.

### **COMMENT:**

The City of Busselton provided further background to their proposal and explained that Ben Aldridge from 30 Foot Drop gave a presentation to the City of Busselton Council on being accessible and inclusive communities for people living with disabilities.

Ben Aldridge who lives with a disability after surviving a 30 foot fall lives in Capel and suggested member Councils for a South West Access and Inclusion Alliance to share information on becoming more accessible and inclusive communities.

Minutes extract from the WALGA SWZ;

*“Moved: Mayor G Henley  
Seconded: Cr S Stanley*

*That:*

- 1. That member Council's be invited to advise their interest in the proposal for a SW Access and Inclusion Alliance; and”*

### **STATUTORY ENVIRONMENT:**

There is no legislation requiring the formation of an Alliance. It is noted that a Memorandum of Understanding (MOU) will need to be developed in relation to an Alliance.

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil direct financial contribution has been identified at this point in time. An Officer would be appointed to this group therefore creating costs associated with salary allocation.

**STRATEGIC IMPLICATIONS:**

Shire of Nannup Strategic Community Plan

Our Council Leadership

6.1 Lead, Listen, Advocate, Represent and Provide - A listening Leadership that provides and represents all

An Alliance would work with and compliment the Shire of Nannup Community Access and Inclusion Plan (DAIP's).

**RECOMMENDATION**

That Council;

1. Authorise the Chief Executive Officer to write to the Executive Officer of the Western Australia Local Government Association South West Zone advising that the Shire of Nannup is willing to in principle participate in a South West Access and Inclusion Alliance within the Member Council's within the South West Zone subject to the development of an Memorandum of Understanding; and
2. that any recommendations, actions and/or projects that result from the Alliance is subject to annual budget considerations.

**VOTING REQUIREMENTS:**

Simple Majority

AGENDA NUMBER:	12.4
SUBJECT:	Correspondence relating to Cottonbush
LOCATION/ADDRESS:	
NAME OF APPLICANT:	David Taylor – Chief Executive Officer
FILE REFERENCE:	
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	16 May 2019

**BACKGROUND:**

The Chief Executive Officer received a letter from Mr Trevor Hines that was addressed to Minister MacTiernan, Minister for Regional Development; Agriculture and Food; Ports expressing his concerns regarding the Cottonbush infestation on the land within the area known as the Folly.

His letter raises concerns about the history of the Cottonbush infestation within the Folly area and the potential for harvesting operations that are currently occurring spreading the Cottonbush infestation further within the area and abroad due to machinery operations and trucking movements.

**COMMENT:**

The Cottonbush infestation is significantly large within the Folly area with many hundreds of acres being thickly covered in the Declared Pest. Mr Hines letter offers an opportunity for the Shire of Nannup to write to the Minister requesting that the Department of Agriculture enforce measures on the landowners in the Folly area to deal with and control the Cottonbush infestation.

**STATUTORY ENVIRONMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**STRATEGIC IMPLICATIONS:**

Nil.

**RECOMMENDATION:**

That Council authorise the Chief Executive Officer, in conjunction with the Shire President, write to the Minister for Regional Development; Agriculture and Food; Ports expressing concerns regarding the Cotton Bush situation in the area and request that the Department of Agriculture and Food enforce control measures on the landowners in the Folly area.

**VOTING REQUIREMENTS:**

Simple Majority

# ENGINEERING & WORKS

AGENDA NUMBER:	12.5
SUBJECT:	Bush Fire Advisory Committee (BFAC) Terms of Reference Draft 2019
LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	
AUTHOR:	Jonathan Jones – Manager Infrastructure
REPORTING OFFICER:	Jonathan Jones – Manager Infrastructure
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	14 May 2019
ATTACHMENT:	12.5.1 – Draft BFAC Terms of Reference

## **BACKGROUND:**

The Shire of Nannup Bush Fire Advisory Committee (BFAC) carries out the function of providing Council with advice and assistance in the management of Bush Fire related activities in the Shire of Nannup.

The BFAC has carried out this function under the Bush Fire Advisory Committee – Terms of Reference drafted in 2015. This version has remained a draft since this date.

## **COMMENT:**

It was recognised that the Terms of Reference drafted in 2015 did not fully explain or properly detail the requirements of BFAC committee members and included reference to old Council policies.

A new updated Bush Fire Advisory Committee (BFAC) Terms of Reference has been drafted to fully explain the requirements of BFAC members in their role in the BFAC and address any items that required clarification, addition or removal.

The Bush Fire Advisory Committee (BFAC) advises and assists Council in the effective management of Bush Fire related activities in the Shire of Nannup district.

The BFAC assist Council with the preparation and adoption of the Bush Fire Management

Plan required under the Emergency Management Act 2005. It ensures that required resource levels for adequate district fire protection in conjunction with Department of Fire and Emergency Services (DFES); advises and assist with Bushfire Education; advises and assist with the planning, setting of standards and work programs for fire prevention within the Shire of Nannup; advises and assist with preparedness for bushfire situations; response and controlling bushfire situations; recovery from bushfire



events; recommends and regularly reviews Council's Policies relating to the delivery of fire prevention, preparedness, response and recovery; and advises Council on issues of compliance with the Bushfires Act 1954 regarding all matters relating to prosecutions for breaches of the Bush Fires Act 1954.

The BFAC is also responsible for reporting to Council on financial affairs of the brigades and the general management of affairs of the brigades and activities of brigades.

The 2019 draft version was presented to the May 6<sup>th</sup> 2019 BFAC Committee meeting for further comment and acceptance.

BFAC members and FCO's asked for clarification over the wording in Section 7 Membership and that a small wording change be made to read as "Council Representatives" not "Members".

With clarification and assurance of the wording change BFAC members and FCO's voted to accept the new Terms of Reference as drafted and to present this version to the Shire of Nannup Council for endorsement at its May 2019 Council meeting.

#### **STATUTORY ENVIRONMENT:**

Bush Fires Act 1954, Emergency Management Act 2005, Bush Fire Advisory Committee – Terms of Reference draft 2019, Bush Fire Advisory Committee Meeting 6<sup>th</sup> May 2019.

#### **POLICY IMPLICATIONS:**

BFC 1

#### **FINANCIAL IMPLICATIONS:**

Nil

#### **STRATEGIC IMPLICATIONS:**

Nil

#### **RECOMMENDATION:**

That Council accept and endorse the new final draft of the Bush Fire Advisory Committee (BFAC) Terms of Reference

#### **VOTING REQUIREMENTS:**

Simple Majority

AGENDA NUMBER:	12.6
SUBJECT:	Operation of Plantation Logging Harvesters during Prohibited Burning Times
LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	
AUTHOR:	Jonathan Jones – Manager Infrastructure
REPORTING OFFICER:	Jonathan Jones – Manager Infrastructure
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	15 May 2019
ATTACHMENT:	12.6.1 - Bush Fires Act 1954 Division 6 Section 27 Subsection (7) 12.6.2 - BFAC Minutes 6 <sup>th</sup> May 2019

### **BACKGROUND:**

At the May 6<sup>th</sup> 2019 Bush Fire Advisory Committee (BFAC) meeting a committee Fire Control Officer (FCO) raised the issue regarding the perceived lack of “regulation” from the Shire of Nannup in respect to the operation of plantation Logging Harvesters during the Prohibited Burning Times between 18<sup>th</sup> December and end of February.

The FCO asked through the BFAC committee that this be addressed by the Shire of Nannup and a recommendation be made to Shire of Nannup Council for their endorsement.

BFAC committee members voted to accept these recommendations and to have them presented to the Shire of Nannup Council for endorsement at its May 2019 Council meeting.

### **COMMENT:**

An FCO addressed the BFAC meeting regarding the perceived lack of regulation in respect to Harvest and Vehicle Movement Bans (HVMB) by the Shire of Nannup and asked that this be addressed through BFAC and the Shire of Nannup Council.

The Shire of Nannup currently relies on industry to self-regulate their own harvesting operations through their own operation policies and procedures, however the Shire can impose subject to the Fire Danger Index (FDI) calculated by the Bureau of Meteorology or by calculation carried out by the relevant shire officer Harvest Vehicle Movement Bans.

The Bush Fires Act 1954 Section 27 subsection (7) authorise a local government or FCO to prohibit carrying out a specific activity or operation that may present a fire hazard.

This method of regulating HVMB has been imposed in the past by the Shire but not specifically plantation harvesting operations.

The FCO addressing the BFAC believed there is confusion over the (FDI) being used between Department of Fire Emergency Services (DFES) who uses Hardwood FDI, the Department of Biodiversity Conservation and Attractions (DBCA) who use both Hardwood and Softwood FDI and Forest Products Commission (FPC) use Softwood FDI in relation to harvesting operations specifically.

The FCO stated *“There have been several large fires over a few years in the Southampton Valley/Balingup road area resulting from plantation harvesters operating in hilly terrain given the high fire danger weather conditions on the day”* and believes *“types of harvesting machinery should be revised so all plantation harvesting contractors and other contractors operating similar types of equipment not necessarily as plantation harvesters should operate under the same FDI guidelines to minimize further ignitions”*.

The FCO also stated *“It is time to act now before another incident occurs and the result may be very different and the process should capture all machinery operators and a method of notification between all parties”*.

#### **STATUTORY ENVIRONMENT:**

Nil.

#### **POLICY IMPLICATIONS:**

Nil

#### **FINANCIAL IMPLICATIONS:**

Nil

#### **STRATEGIC IMPLICATIONS:**

Nil.

#### **RECOMMENDATION:**

That Council

1. Initially develops a Memorandum of Understanding (MOU) with Forest Products Commission and Department of Bio-diversity, Conservation and Attractions with regards to soft woods plantations and harvesting in the Blackwood valley. It should include:

- information on harvesting operation locations to be given to the Shire of Nannup

- introduce scheduling for steep high risk land;
  - introduce a common system of harvest restrictions and Fire Danger Index for softwood plantations;
  - the location and number of paid professional fire staff and equipment; and
  - the make-up of incident management teams including Shire involvement and staffing.
2. Liaise with neighbouring Shires, namely Shire of Donnybrook/Balingup and Shire of Bridgetown/Greenbushes, to have this MOU shared with those neighbouring Shires.

#### **VOTING REQUIREMENTS:**

Simple Majority

# **ECONOMIC & COMMUNITY DEVELOPMENT SERVICES**

AGENDA NUMBER:	12.7
SUBJECT:	Acceptance of Lotterywest grant
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC6O
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	15 May 2019
ATTACHMENTS:	12.7.1 - Letter of Acknowledgement

## **BACKGROUND:**

Funding acknowledgement has been received of \$133,000 from Lotterywest for the purposes of developing a cycling masterplan and concept and detailed designs for trails development at Tank 7 & 8 in Nannup. As this funding is over \$5,000, Council is required to accept the funding as per policy FNC6.

## **COMMENT:**

This project is a partnership of the Shire of Nannup, Department of Biodiversity, Conservation & Attractions, Forest Products Commission, Water Corporation and the Nannup Mountain Bike Club and has been in development for several years.

The aim is to construct sanctioned mountain bike trails in Nannup and to develop a masterplan that will inform future trails projects. This funding will develop the masterplan and undertake the trails planning to construction stage.

There is a condition on the Lotterywest grant that final costings and tender scoping document are approved by Lotterywest prior to approving the successful contractor.

## **STATUTORY ENVIRONMENT:**

Nil.

## POLICY IMPLICATIONS:

Nil.

## FINANCIAL IMPLICATIONS:

Total	Organisation	Confirmed
\$133,000.00	Lotterywest	Yes
\$6,500.00	Shire of Nannup operational trails budget	Yes
\$15,000.00	Forest Products Commission	Yes
\$5,000.00	Nannup Mountain Bike Club	Yes
\$500.00	Melo Velo	Yes
\$10,000.00	Youth Advisory Council reserve account	Yes
<b>\$170,000.00</b>		<b>Total</b>

Ride WA has committed \$4,900 as in kind support for consultation and development of the master plan and Forest Products Commission has committed a further \$5,000 to mapping for the masterplan.

## STRATEGIC IMPLICATIONS:

Strategic Community Plan 2017 -2027

### **2.2 Our Economy**

*Tourism/Recreation: Working together to attract people to our amazing Shire: Increased and varied trails throughout the district.*

## RECOMMENDATION:

1. That Council accept the grant of \$133,000 from Lotterywest for the purposes of developing a cycling masterplan and undertaking concept planning and detailed design for mountain biking trails in Nannup.

## VOTING REQUIREMENTS:

Simple Majority

AGENDA NUMBER:	12.8
SUBJECT:	Acceptance of Forest Products Commission Sponsorship
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC60
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	15 May 2019
ATTACHMENTS:	12.8.1 - Letter of Support with financial & in kind support 12.8.2 - Email of Acknowledgement

#### **BACKGROUND:**

Sponsorship acknowledgement has been received of \$15,000 from Forest Products Commission (FPC) for the purposes of developing a cycling masterplan in Nannup. As this funding is over \$5,000, Council is required to accept the funding as per policy FNC6.

#### **COMMENT:**

This project is a partnership of the Shire of Nannup, Department of Biodiversity, Conservation & Attractions, Lotterywest, Water Corporation and the Nannup Mountain Bike Club and has been in development for several years.

The total project aim is to construct sanctioned mountain bike trails in Nannup and to develop a masterplan that will inform future trails projects. This funding will assist to develop the cycle masterplan.

This sponsorship was subject to successful funding from Lotterywest which has been received, and acknowledged by FPC.

#### **STATUTORY ENVIRONMENT:**

Nil.

#### **POLICY IMPLICATIONS:**

Nil.

## FINANCIAL IMPLICATIONS:

Total	Organisation	Confirmed
\$133,000.00	Lotterywest	Yes
\$6,500.00	Shire of Nannup operational trails budget	Yes
\$15,000.00	Forest Products Commission	Yes
\$5,000.00	Nannup Mountain Bike Club	Yes
\$500.00	Melo Velo	Yes
\$10,000.00	Youth Advisory Council reserve account	Yes
<b>\$170,000.00</b>		<b>Total</b>

Ride WA has committed \$4,900 as in kind support for consultation and development of the master plan and Forest Products Commission has committed a further \$5,000 to mapping for the masterplan.

## STRATEGIC IMPLICATIONS:

Strategic Community Plan 2017 -2027

### **2.2 Our Economy**

*Tourism/Recreation: Working together to attract people to our amazing Shire: Increased and varied trails throughout the district.*

## RECOMMENDATION:

1. That Council accept the sponsorship of \$15,000 from Forest Products Commission for the purposes of assisting to develop a cycling masterplan in Nannup.

## VOTING REQUIREMENTS:

Simple Majority



AGENDA NUMBER:	12.9
SUBJECT:	Acceptance of Shire of Nannup Disability Access & Inclusion Plan
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WLF 5
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	15 May 2019
ATTACHMENT:	12.9.1 - Shire of Nannup Disability Access & Inclusion Plan

### **BACKGROUND:**

It is a legislative requirement that Council has a current Disability, Access & Inclusion Plan (DAIP). Annually Council submits a report to Disability Services Commission on activities and actions completed during that year. The required reporting for the 2018/19 financial year has been lodged.

### **COMMENT:**

Currently the state based Disability Services Commission (DSC) is transitioning to service delivery provided federally by the National Disability Insurance Scheme (NDIS) for people under the age of 65 with a significant and permanent disability. The National Disability Insurance Agency (NDIA) is an independent agency that is responsible for delivering the NDIS Australia-wide.

As of 1 July 2018, the State Government will cease to deliver programs, with the Federal NDIA to deliver the NDIS in Western Australia. The NDIS is Australia's first national Scheme for people with disability. It provides funding directly to individuals, who in conjunction with their families and carers work with a Local Coordinator to create a plan for their future based on their individual situation. Through planning, people explore opportunities, identify goals and link with local community, government and mainstream supports and services.

Advanced Personnel Management (APM) is the Local Area Coordinator for the South West with services rolling out from May 1 2019.

As the existing plan is now two years old it was felt that a minor review of the DAIP was required to capture outstanding actions, particularly with the Economic & Community Development Officer leaving the role.

A meeting was held on Wednesday 8<sup>th</sup> May with community members, Council staff and associated agencies to review the current plan and to receive feedback for inclusion into the DAIP. The actions that have been completed in the past year include:

- Line marking along Warren Rd,
- Kerb to oval entrance reconstructed,
- Directional signage to disabled toilets along main street installed,
- Purchase of e-books for library, and
- Initiate a home and hospital delivery service for library books.

New priorities that have been incorporated include:

<b>Issue</b>	<b>Action</b>
Shire front counter is too high	If funding becomes available investigate options for counter to have pull out panel installed to improve customer service
Recreation Centre Door heavy	Investigate if automatic door closer can be modified so door is not so heavy
Foreshore Park toilets	Expand the entry path to toilets to increase the turning circle into the toilet
	Install vacant/engaged indicator sign
ACROD parking bays	Liase with Main Roads to relocate existing ACROD bay to more appropriate location on main street and ensure installation complies with Australian standards
Customer Service and accessibility	Council staff and Councillors participate in training workshops on accessibility
Access	Audit to be undertaken of Council facilities (doors, taps, ingress/egress)
Main street footpaths	Communication to main street traders to bring bins in promptly after emptying, appropriate placement of A frame signs
Town Hall door	The Town Hall door is renovated for ease of opening/closing to Australian standards

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**STRATEGIC IMPLICATIONS:**

Strategic Community Plan 2017 -2027

**1.1 All of us/who we are:**

*We will retain pride in being a small but friendly town that is a welcoming place live and full of wonderful people.*

**RECOMMENDATION:**

1. That Council accept and endorse the Shire of Nannup Disability & Inclusion Plan and implement actions as funding becomes available.

**VOTING REQUIREMENTS:**

Simple Majority

# FINANCE & ADMINISTRATION

AGENDA NUMBER:	12.10
SUBJECT:	Purchase of Hot Water System – Bowling Club
LOCATION/ADDRESS:	Reserve 3708B – Warren Road, Nannup
NAME OF APPLICANT:	Nannup Bowling Club
FILE REFERENCE:	Reserve 3708B
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	1 May 2019
ATTACHMENT:	12.10.1 - Account Payable received 5 April 2019 from Nannup Bowling Club

## **BACKGROUND:**

A Tax invoice was handed over the front counter on the 5<sup>th</sup> of April payable to Kerry Harper for the installation of a hot water system at the above location from a representative of the Nannup Bowling Club (NBC). Prior to the installation no contact had been made with any Council Officers in relation to the issue with the existing system or to gain an understanding of whether Council were prepared to finance the installation of this system.

The installation appears to have occurred in December 2018.

## **COMMENT:**

The tax invoice was originally sent to Council for payment at an earlier date at which time there was a conversation with the representatives of the NBC that the replacement of this system should first have been discussed with Council and then *if* Council decided that this was a responsibility of Council then quotes would be sourced and a purchase order written. As this due process had not been followed the way forward would be to write to Council on behalf of the association and request that Council contribute to this purchase.

At the time of presenting the account for payment on the 5<sup>th</sup> of April, a copy of the lease agreement was also given which had highlighted the obligations of Council in regards to the current lease agreement. This is replicated below.

*“The obligations of the parties shall be as follows:*

**SHIRE OF NANNUP**

2. *Maintain the building in respect of internal and external painting, upkeep and replacement of roof guttering, plumbing and electrical maintenance, glazing and annual control of pests.*

No discussion was entered, with the representative merely handing papers over the desk and then exiting. It appears that from the club’s point of view, this dot point is sufficient to represent the replacement of the hot water system.

Officers view this in a different light for the following reasons:

1. The NBC have a peppercorn lease with Council that expires in 2020. In financial terms, the terms of this lease are 1 peppercorn annually, however if we put aside the ‘peppercorn’, the lease itself is classed as a commercial lease.
2. Commercial leases are very different from residential leases in that rates and any other payables are usually at the responsibility of the tenant, fit out is the responsibility of the tenant and any wear and tear as a result of the business of the tenant is the responsibility of the tenant.

Plumbing and electrical maintenance are usually repairs not replacement to existing infrastructure and for the reasons mentioned in point 2 above, there needs to be consideration as to if the wear and tear on the previous system were as a result of the business on the tenant. I.e. the consistent usage as a result of subletting of the premises. If this is answered in the affirmative, then the replacement of the entire system should be seen as a capital expense possibly as a cost of business to the NBC.

The reason for reaching this decision can be explained by the following:

1. The NBC sub-lease the premises on a weekly basis to the Community Kitchen. This is a financial transaction that provides income to the NBC. It is reasonable to surmise that the problems that arose with the previous hot water system were increased due to the increased level of activity at the bowling club.
2. There is also an annual sub-lease to the Music Festival each year which also provides financial advantage to the NBC.
3. There are also various adhoc subletting occurring on an annual basis all to the financial benefit of the NBC.

In all cases, it is reasonable to assume that the additional workload on the previous hot water system could be contributed to the need for a new system to be installed. As with all business ventures, be they through a private enterprise, a publically listed company or a not-for-profit organisation there is a need to balance the financial gain received through the transactions against the expense incurred. It is Officer’s opinion that in this case the cost of subleasing this building on a weekly/annual basis should include the cost of the replacement of the hot water system.

Based on all of the above, Officer recommendation is that a letter be sent to the NBC outlining all of the above and explaining that in this instance it is Council's opinion that the cost of replacing the hot water system should remain with the club.

**STATUTORY ENVIRONMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

None if Officer recommendation followed or \$735.46 if liability accepted.

**STRATEGIC IMPLICATIONS:**

None.

**RECOMMENDATION:**

That Council request that Officer's write to the Nannup Bowling Club, outlining the reasoning behind Council's decision that, in this instance, it is considered this expense should remain with the Nannup Bowling Club for payment.

**VOTING REQUIREMENTS:**

Simple Majority

AGENDA NUMBER:	12.11
SUBJECT:	Room Hire Concession
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Lower Blackwood Valley Pest Management Group per Barbara Dunnet
FILE REFERENCE:	ASS 5
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	16 May 2019
ATTACHMENTS:	12.11.1 - Invoice 5748 12.11.2 - Email from Mrs Dunnet re debt recovery

### **BACKGROUND:**

A booking was made by the above group for the hire of the community meeting room on 1 May 2018. Originally the request was for the use of Council Chambers or the Shirley Humble Room. This was denied as the group is not a committee of Council and therefore not entitled to use of these rooms.

This information was passed on to Mrs Dunnet at the time of the booking as well as the fees and charges associated with the hire of the alternative venue. Mrs Dunnet advised officers that in the past, these meetings had been allowed to utilise Council facilities without payment and requested that a similar process be followed this time.

Officers advised that the wavering of fees could not be set by Officers and if this was to occur a letter would need to be submitted to Council with this request.

No such letter was submitted and as a result, once the debt remained unpaid for an extended period of time, the Corporate Services Officer contacted Mrs Dunnet requesting payment to be forthcoming. At this point in time an email was received from Mrs Dunnet stating that the invoice is the responsibility of the Shire of Nannup to pay.

### **COMMENT:**

For Council the issue remains around the equity of the above request. There are many community groups who use Council facilities to hold meetings/functions/etc. These groups are expected to pay for the use of these facilities. Included within the hire fees are the costs associated with cleaning and utilities, these are sunk costs after the event has been held and if not paid as a result of the 'user pays' system are subsidised via ratepayers.

In other requests received from community groups Council has agreed to a reduction of the fee. This ensures that there is some cost recover to cover the costs mentioned above. Given that this has been the process taken with previous requests this would seem to be a more equitable outcome than just writing off the debt in its entirety.

#### **STATUTORY ENVIRONMENT:**

Nil

#### **POLICY IMPLICATIONS:**

FNC 3 – Community Group Grants and Donations

#### **FINANCIAL IMPLICATIONS:**

Full charge per Fees and Charges \$52

Total lost revenue for Shire of Nannup – applying 50% fee reduction - \$26

#### **STRATEGIC IMPLICATIONS:**

Strategic Community Plan 2017 -2027

#### **Our Council Leadership**

##### **6.1 Lead, Listen, Advocate, Represent and Provide**

*A listening leadership that provides and represents all.*

Sustainability is the key to Nannup's future.

- We will have a sustainable, innovative and equitable economy
- Working together to attract people to our amazing Shire.

##### Strategies

- Be an example of sustainability.
- Provide a stable, consistent and honest government

##### Action

- Balance our environmental, social and financial requirements.

##### Responsibility

- Provider

#### **RECOMMENDATION**

That Council advise the Lower Blackwood Valley Pest Management Group that:

1. The Lower Blackwood Valley Pest Management Group is not a committee of Council and therefore the responsibility for payment for hiring of Council facilities remains with the group.
2. That in the interests of equity within the community, Council is prepared to reduce the fees by 50%.



3. That as this payment is now 12 months overdue, Council requests prompt payment of the remaining balance.

**VOTING REQUIREMENTS:**

Simple Majority.

AGENDA NUMBER:	12.12
SUBJECT:	Budget Monitoring – April 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	09 May 2019
ATTACHMENT:	12.12.1 – Financial Statements for the period ending 30 April 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 12.12.1.

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 outcome 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 30 April 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 30 April 2019 be received.

**VOTING REQUIREMENT:**

Simple Majority.

AGENDA NUMBER:	12.13
SUBJECT:	Monthly Accounts for Payment - April 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	09 May 2019
ATTACHMENT:	12.13.1 – Accounts for Payment – April 2019

### BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 April 2019 to 30 April 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.

<b>Municipal Account</b>		
Accounts paid by EFT	11515 – 11574	124,571.44
Accounts paid by cheque	20366 – 20369	11,589.92
Accounts paid by Direct Debit	DD10435.1 – DD10442.14	60,737.17
<i>Sub Total Municipal Account</i>		<i>\$196,898.53</i>
<b>Trust Account</b>		
Accounts paid by EFT	11562 – 11562	433.71
Accounts Paid by cheque	22810 – 22811	3,200.00
<i>Sub Total Trust Account</i>		<i>\$3,633.71</i>
<b>Total Payments</b>		<b>\$200,532.24</b>

**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 \$200,532.24 1 April 2019 to 30 April 2019 in the attached schedule(s) be endorsed.

**VOTING REQUIREMENTS:**

Simple Majority.

**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**

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

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

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

**17. CLOSURE OF MEETING**



## Agenda Attachments

Item	Attach	Title
8.1		April 2019 Ordinary Council Meeting Minutes
9.1		WALGA South West Zone Meeting Minutes – 3 May 2019
12.1	1	Register of Delegated Development Approvals
12.5	1	Draft BFAC Terms of Reference
12.6	1	Bush Fires Act 1954 Division 6 Section 27 Subsection (7)
	2	BFAC Minutes 6 <sup>th</sup> May 2019
12.7	1	Letter of Acknowledgement
12.8	1	Letter of Support with financial & in kind support
	2	Email of Acknowledgement
12.9	1	Shire of Nannup Disability Access & Inclusion Plan
12.10	1	Account Payable received 5 April 2019 from Nannup Bowling Club
12.11	1	Invoice 5748
	2	Email from Mrs Dunnet re debt recovery
12.12	1	Financial Statements for the period ending 30 April 2019
12.13	1	Accounts for Payment – April 2019