



Shire of
Nannup
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Minutes

Council Meeting held Thursday 27 June 2019

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4.34pm.

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

ATTENDANCE:

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

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

APOLOGIES:

Cr Mellema

LEAVE OF ABSENCE:

Cr Stevenson

VISITORS: Len Gilchrist, Rita Stallard Julie Kay, Bee Winfield, Stewart Seesink, Ian Gibb, Cheryle Brown, Anki Wickison, Bob Thomas.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Response to Samantha Conway

Please see attached correspondence to Ms Conway.

4. PUBLIC QUESTION TIME

Rita Stallard – East Nannup Road

Question 1

In regard to the clearing at Gussie's Mill (RES 42287); the public reserve with the Girl Guides sign; have all the rubbish tips there been emptied with all the work going on?

Manager Infrastructure

The project up there will include cleaning up all those gravel pits; and removing any debris. The whole public reserve will be cleaned up as part of the bush fire mitigation activities the Shire is undertaking.

Question 2

The area has patches that have been bulldozed to bare earth; where there was already a grassy plain; I walk it often so I know it well. Why was this area made bare if it was already a bare, grassy plain?

Manager Infrastructure

The area is being cleared as part of the bush fire mitigation project; to clear the area of black wattle specifically. To do that we have to utilise heavy machinery and the footprint of those machinery is very large which results in bare earth. The native plants and trees will recover over time but please keep in mind the area is being cleared to prevent bush fire.

Question 3

Are you also aware that the kangaroos that used to live at this reserve now inhabit the backyards of the residents of East Nannup Road?

Shire President:

No I was not aware of kangaroos moving into back yards.

Question 4

Is the track on the north side of the reserve a legal right of way?

Shire President:

We will take that question on notice.

Question 5

The clearing of the path of logs, boulders and natural vegetation; who decided that was to happen in the manner it happened? It was not necessary in my opinion.

Manager Infrastructure

The purpose of the clearing was to mitigate for the event of bush fire. Heavy machinery was used as I have previously stated and the way needed to be clear for said mitigation work. Therefore, a path needed to be cleared to perform this work. It's difficult to work around materials on the ground and the clearing is part of the project to increase access to areas that area prone to bush fires.

Question 6

Why wasn't this task given to someone with suitable experience to perform the works?

Shire President

I assume that an experienced person was engaged to do these works, however, we can take the question on notice.

Question 7

The invasive black wattle and tagasaste species have mostly been removed, the other major invasive species being the large white gum trees remain and the jarrah has been removed, why is that? They were planted in the last 20 years or so.

Shire President

This question was taken on notice.

Question 8

Why was the great big firebreak put in just inside the bush all the way along the property that adjoins "Jocks Road"? and I would like included who made the decision to do that firebreak?

Manager Infrastructure

We will take that question on notice as I am not sure of the location you are referring.

Question 9

Can I also know which contractors performed the works and how much each were paid?

Chief Executive Office

A list of paid invoices appears in the agenda of each Council meeting and these details are available to be viewed at that time. Please see the Manager Infrastructure who can provide further details.

Question 10

What is the overall amount for the cost of these works and is there anymore to be done at Gussies Mill?

Manager Infrastructure

Total cost of works is \$476,500 worth of works towards Fire Mitigation Activities throughout the Shire which has been funded by the State Government. I believe there is more to be completed at Gussies Mill.

Question 11

Would it be possible for someone to have a look at the vegetation on the top side of that path and see if some of it can be saved?

Shire President

Yes, we'll have a look at it for you.

Len Gilchrist – Blackwood River Drive

Question 1

Which Shire Councillors were in favour of the letter that they sent to me from Civic Legal? I'm led to believe there were one or two that weren't in favour of what was said. Secondly; you told me not that long ago that everything is to be

recorded for the Minutes. Can you tell me why it hasn't been recorded in the Minutes me calling you a liar on numerous occasions?

Shire President

Are they your two questions? We will take them on notice.

Question 2

Who were the people that signed a petition to say that I am recording messages?

Shire President

We will take that question on notice, any more questions please.

Question 3

I'm going to Perth.

Question was ruled out of order as it was not a question.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Ms. Bee Winfield presented to Council an opinion piece regarding her views on how household and human waste can be re-used and recycled; specifically, green waste being repurposed for gardening.

7. DECLARATIONS OF INTEREST

Nil.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

19063 BUCKLAND/HANSEN

That the Minutes of the Ordinary Council Meeting held 23 May 2019 be confirmed as a true and correct record.

CARRIED (6/0)

9. MINUTES OF OTHER COUNCIL COMMITTEES/REPRESENTATIVE COMMITTEES

19064 FRASER/BUCKLAND

That the Minutes of the Local Drug Action Group Committee meeting held 19 June 2019 be received.

CARRIED (6/0)

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

Nil

12. REPORTS OF OFFICERS

AGENDA NUMBER:	12.1
SUBJECT:	Development Application for a Cottage Industry & Home Business (Artist's Studio & Painting Classes)
LOCATION/ADDRESS:	Lot 1233 (No. 15) on DP408860 Diggers Green, Nannup
NAME OF APPLICANT:	Robert Thomas & Lena Wickison
FILE REFERENCE:	A1816
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	18 June 2019
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.1.1 - Location map 12.1.2 - Information from applicants 12.1.3 - Extract from <i>Local Planning Policy LPP013 Car Parking and Vehicular Access</i> 12.1.4 - Submissions 12.1.5 - Additional information from applicants

BACKGROUND:

The Shire has received a Development Application from property owners, Robert Thomas & Lena Wickison, to operate a 'cottage industry (artist's studio)' and 'home business (painting classes)' from an existing outbuilding at Lot 1233 (No. 15) Diggers Green, Nannup.

The northern section of the property is zoned "Residential R10/15" and the southern section is zoned "Special Residential SRes1" in *Shire of Nannup Local Planning Scheme No. 3 (LPS3)*. The property is located on the eastern boundary of the Nannup townsite as shown in Attachment 12.1.1. The SRes1 zoning applies to the area of the property where the proposed cottage industry and home business are to be located.

The property is 8,080m² in area, currently contains a single dwelling and outbuilding at the southern end of the property and has a dam near the Brockman Highway boundary. The property is adjoined by developed land zoned 'Residential' to the north, undeveloped Public Open Space to the west and undeveloped land zoned 'Special Residential' and 'Special Rural' to the south

Details submitted by the applicants are provided in Attachment 12.1.2. The development is proposed to be operated from the existing outbuilding with client access to an adjoining bathroom and toilet. The total area occupied by the development will be 48m².

Planning framework

The proposed development is generally consistent with LPS3 and *Local Planning Policy LPP013 Car Parking and Vehicular Access* (LPP13). The relevant sections of LPP013 are outlined in Attachment 12.1.3.

The proposed uses are consistent with Strategy 51 of the Shire of Nannup *Local Planning Strategy*.

The property is located within a bushfire prone area as designated by the Fire and Emergency Services Commissioner.

Schedule 1 of LPS3 defines '**cottage industry**' to mean:

“a trade or light industry producing arts and crafts goods which cannot be carried out under the provisions relating to a home occupation and which:

- a) does not cause injury to or adversely affect the amenity of the neighbourhood;
- b) where operated in a Residential zone, does not employ any person other than a member of the occupier's household;
- c) is conducted in an outbuilding which is compatible within the principle uses to which the land in the zone in which it is located may be put;
- d) does not occupy an area in excess of 50m²; and
- e) does not display a sign exceeding 0.2m² in area.”

Schedule 1 of LPS3 also defines '**home business**' to mean:

“a business service or profession carried out in a dwelling or on land around a dwelling which:

- a) does not employ more than two people not members of the occupier's household;
- b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- c) does not occupy an area greater than 50m²;
- d) does not entail the retail sale, display or hire of goods of any nature;
- e) in relation to vehicles and parking, will not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- f) does not involve the use of an essential service of greater capacity than normally required in the zone.”

In this case, the Shire administration considers that the proposed artist's studio is consistent with the meaning of “cottage industry” and the painting classes are consistent with the meaning of “home business”.

Both 'Cottage industry' and 'Home business' are “D” uses in the Special Residential Zone as set out in the LPS3 Zoning Table which means that the uses are not permitted

unless the local government has exercised its discretion by granting development approval.

Clause 4.4 of LPS3 states that car parking spaces shall be provided in accordance with the Schedule 6 requirements and shall be designed, constructed and maintained to the satisfaction of the local government. However as 'cottage industry' and 'home business' are not listed in Schedule 6, Clause 4.4.2 of LPS3 states that the local government is to apply such car parking standards as it considers appropriate, having regard to the requirements for similar uses. In this case, the Shire administration considers that a similar use from Schedule 6 would be an 'office' which is required to have 1 space per 35m² of gross floor area.

LPP013 applies to all developments including new development, alterations or extensions to existing development, new site uses, additional uses, extension of uses or change of uses as considered appropriate by the local government.

Consultation

The Shire administration undertook consultation through inviting public comment on the Development Application for a period of 14 days by writing to 9 adjoining/nearby landowners.

The Shire received 1 submission on the Development Application as outlined in Attachment 12.1.4.

In summary the submitter, who objected to the proposal, was concerned about a business operating in a residential area, the number of vehicles visiting the property and the location of the proposed overflow parking area.

In response to this submission, the applicant has provided clarification as to the expected hours of operation, expected number of students per class and has relocated the proposed location of the overflow parking, all of which are set out in Attachment 12.1.5.

COMMENT:

Following an assessment of the Development Application against the planning framework and information provided by the applicant, the Development Application is considered to be generally consistent with LPS3, and the client parking and vehicular access is consistent with LPP13.

Clause 3.13.9.1 of LPS3 states as the objectives of the Special Residential zone:

- “(a) To provide for a style of spacious living at densities lower than those characteristic of traditional single residential development but higher than those found in the Special Rural zone;
- (b) to limit special residential development to areas adjacent or in close proximity to the Nannup urban area for reasons of reliance on urban services and infrastructure; and
- (c) to provide for a high level of residential amenity whilst protecting the zone’s rural environment and amenity”

Based on the information provided by the applicant, the proposed development would not be expected to have a negative effect on the general amenity of the area, and the relocation of the proposed car parking further from the neighbouring properties in Diggers Green should assist to reduce the impact on the immediate neighbours.

Car Parking

Section 12 of LPP013, which relates to construction standards for parking areas, states that:

“With the exceptions set out below, all car parking areas, access driveways and crossovers will be required to be sealed, drained and as appropriate line-marked or suitably defined to the satisfaction of the local government. The exceptions are parking for:

Development in Agricultural zones, the Special Residential zone, the Special Rural zone and other non-urban zones (although there is a requirement to seal crossovers that access sealed public roads).”

The crossover has recently been sealed by the applicant and the car parking areas have been gravelled. The overflow car parking area is located on natural ground.

Noise

The applicant has advised that the proposed hours of operation would be 10:00am until 3:00pm with most visitors expected to stay for a maximum of two hours during this period. As the applicant is proposing to offer painting classes to a maximum of 8 students at a time, it is expected that noise levels would generally be low.

Traffic

It is suggested that there will be no negative traffic impact on Diggers Green during the normal operation of the proposed development based on the advice from the applicant that a maximum of 8 cars at a time could be entering or exiting the property.

Following the Shire administration’s assessment against LPS3, considering the views of the submitter and information provided by the applicant, it is recommended that the application for a ‘cottage industry’ and ‘home business’ should be conditionally approved for a period of 3 years. While the Shire administration considers the addition of an artist’s studio and a home business offering painting classes to Nannup to be of overall benefit to the community, a temporary approval is considered appropriate to confirm the suitability of the proposed uses and to ensure land use compatibility.

Should the applicant wish to continue to operate the cottage industry and home business after 3 years, there will be a need to lodge another Development Application to the Shire. At that point, the Shire will determine whether or not it will approve the new Development Application, with or without a time restriction.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015 and LPS3.

POLICY IMPLICATIONS:

Local Planning Policy LPP013 Car Parking and Vehicular Access is relevant in assessing the Development Application. Local Planning Policies are non-statutory documents which are designed to provide guidance to assist the Council in its decision making. Accordingly, the Council is not bound by the policy but is required to have regard to the policy in determining the Development Application.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

That Council approve the Development Application to operate a 'cottage industry' (artist's studio) and 'home business' (painting classes) at Lot 1233 (No. 15) on DP408860 Diggers Green, Nannup, subject to the following conditions:

1. The development approval is granted to 27 June 2022. To continue operating after 27 June 2022, there is a need to lodge a new Development Application to the Shire.
2. The development hereby approved must be carried out in accordance with the plans and specifications submitted with the application, including the updated site plan/car parking plan dated 28 May 2019, and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire.
3. Development approval for the cottage industry and home business is issued only to the applicant to whom the approval is granted and is not transferrable to another person or property.
4. The vehicle access ways, vehicle manoeuvring areas and car parking spaces are designed, constructed and drained to the satisfaction of the local government prior to occupation of the development.
5. Clients visiting Lot 1233 (No.15) Diggers Green for use of the proposed development must park within the boundaries of the property subject to

this approval, in the parking areas marked on the site plan dated 28 May 2019, and not on the street or on the verge abutting the subject property or any other property.

6. No vehicular access is permitted between the property and Brockman Highway.
7. The hours of operation shall be limited to between 10:00am - 3:00pm, seven days per week, with no trading on Good Friday, Christmas Day and before 12:00pm on ANZAC Day, unless a variation is approved in writing by the Shire.
8. The development shall not cause injury to or adversely affect the amenity of the neighbourhood.
9. The development is to comply with the *Health (Miscellaneous Provisions) Act 1911*, *Public Health Act 2016*, *Health (Public Buildings) Regulations 1992*, and the *Shire of Nannup Health Local Laws*.
10. The development hereby permitted shall not erect any advertising or signage at the site without the prior approval of the Shire.
11. An Emergency Management and Evacuation Plan is to be prepared to the satisfaction of the Shire and then implemented prior to occupation of the development. All measures contained in the Plan are to be maintained to the satisfaction of the local government.

Advice

- A. The proponent is advised that this Development Approval is not a Building Permit. A Building Permit must be formally applied for and obtained before the commencement of any site and/or development works.
- B. In relation to Condition 6, all vehicular traffic associated with the property is to use Diggers Green to access the property.
- C. In relation to Condition 10, some signs are exempt from development approval while other signs require a Development Application to the Shire. Please contact the Shire for further details
- D. In relation to Condition 11, the property is within a bushfire prone area. An Emergency Management and Evacuation Plan will assist in lowering the risk for visitors and others in the event that an emergency occurs.
- E. If the applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

19065 BUCKLAND/LONGMORE

That Council approve the Development Application to operate a 'cottage industry' (artist's studio) and 'home business' (painting classes) at Lot 1233 (No. 15) on DP408860 Diggers Green, Nannup, subject to the following conditions:

- 1. The development approval is granted to 27 June 2022. To continue operating after 27 June 2022, there is a need to lodge a new Development Application to the Shire.***
- 2. The development hereby approved must be carried out in accordance with the plans and specifications submitted with the application, including the updated site plan/car parking plan dated 28 May 2019, and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire.***
- 3. Development approval for the cottage industry and home business is issued only to the applicant to whom the approval is granted and is not transferrable to another person or property.***
- 4. The vehicle access ways, vehicle manoeuvring areas and car parking spaces are designed, constructed and drained to the satisfaction of the local government prior to occupation of the development.***
- 5. Clients visiting Lot 1233 (No.15) Diggers Green for use of the proposed development must park within the boundaries of the property subject to this approval, in the parking areas marked on the site plan dated 28 May 2019, and not on the street or on the verge abutting the subject property or any other property.***
- 6. No vehicular access is permitted between the property and Brockman Highway.***
- 7. The hours of operation shall be limited to between 10:00am - 3:00pm, seven days per week, with no trading on Good Friday, Christmas Day and before 12:00pm on ANZAC Day, unless a variation is approved in writing by the Shire.***
- 8. The development shall not cause injury to or adversely affect the amenity of the neighbourhood.***
- 9. The development is to comply with the Health (Miscellaneous Provisions) Act 1911, Public Health Act 2016, Health (Public Buildings) Regulations 1992, and the Shire of Nannup Health Local Laws.***
- 10. The development hereby permitted shall not erect any advertising or signage at the site without the prior approval of the Shire.***
- 11. An Emergency Management and Evacuation Plan is to be prepared to the satisfaction of the Shire and then implemented prior to occupation of the development. All measures contained in the Plan are to be maintained to the satisfaction of the local government.***

Advice

- A. The proponent is advised that this Development Approval is not a Building Permit. A Building Permit must be formally applied for and obtained before the commencement of any site and/or development works.***
- B. In relation to Condition 6, all vehicular traffic associated with the property is to use Diggers Green to access the property.***
- C. In relation to Condition 10, some signs are exempt from development approval while other signs require a Development Application to the Shire. Please contact the Shire for further details***
- D. In relation to Condition 11, the property is within a bushfire prone area. An Emergency Management and Evacuation Plan will assist in lowering the risk for visitors and others in the event that an emergency occurs.***
- E. If the applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.***

CARRIED (6/0)

Shire of Nannup
 Ordinary Council Meeting Minutes: 27 June 2019

AGENDA NUMBER:	12.2
SUBJECT:	Delegated Planning Decisions for May 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:	12 June 2019
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.2.1 – 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 May 2019 is presented in Attachment 12.2.1.

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 May 2019, three (3) 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 May 2019 compared to May 2018:

	May 2018	May 2019
Delegated Decisions	3 (\$367,482)	3 (\$201,300)
Council Decisions	0	0
Total	3 (\$367,482)	3 (\$201,300)

100% of approvals issued in the month of May 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 May 2019 as per Attachment 12.2.1.

19066 HANSEN/BUCKLAND

That Council receives the report on Delegated Development Approvals for May 2019 as per Attachment 12.2.1.

CARRIED (6/0)

Shire of Nannup
Ordinary Council Meeting Minutes: 27 June 2019

AGENDA NUMBER:	12.3.
SUBJECT:	Audit Regulation 17 Review and Financial Management Review 2019
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 17
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 June 2019
ATTACHMENTS:	12.3.1 - Audit Regulation 17 and Financial Management Review Report performed by Moore Stephens

BACKGROUND:

Within 2019 there were two specific audit reviews that were required to be completed;

Financial Management Review - this review is required to be completed every four years.

Audit Regulation 17 Review – whereby the Chief Executive Officer is to review the appropriateness and effectiveness of a local governments system and procedures in relation to risk management, internal controls and legislative compliance at least once biannually and provide a copy of the report to the Audit Committee.

The Audit Committee is to review this report given to it by the CEO and report to Council the results of that review.

COMMENT:

Moore Stephens, a specialist local government auditing company were appointed to conduct the Regulation 17 Review. Appoint an external provider to perform these types of reviews is of benefit to Council as it provides an impartial review whereby the CEO can be provided recommendations that work towards a continuously improving organisation.

It is important to note that the review is performed on the same basis without differentiating between a small or large Council and their respective capacities. This in turn places the Shire of Nannup in an unfair position due its smaller size and lower capacity. The outcome of this report suggests the introduction of various plans, frameworks and internal controls that need to be completed. Management were provided the opportunity to comment on the findings with some findings being

accepted as steps that need to be actioned while others are considered impractical for a Council of this size to develop and follow.

Now that the report has been completed. Council along with Senior Staff need to identify which findings are practical for the Shire of Nannup to implement and which are not practical. The Audit Committee and staff will need to workshop these at a later date to determine the areas of focus.

STATUTORY ENVIRONMENT:

Local Government (Audit) Regulations 1996

Regulation 16(c) of the Local Government (Audit) Regulations 1996 requires the Audit Committee to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to –

- (i) report to the Council the results of that review; and
- (ii) give a copy of the CEO's report to the Council.

Regulation 17(3) of the Local Government (Audit) Regulations 1996 requires the CEO to report to the audit committee the results of that review.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Dependent on the extent of implementing findings could result in a significant cost related to staff that may require either additional staff or sacrifice other aspect of Council business associated with Council duties.

STRATEGIC IMPLICATIONS:

Nil

AUDIT COMMITTEE RECOMMENDATION:

That Council;

1. Accept the report including a review of Local Government (Audit) Regulation 1996 Regulation 17 Review 2019 and Financial Management Review.
2. Delegate to the Audit Committee the responsibility of applying and prioritising the risk rating for each recommended improvement within the Regulation 17 Review 2019 and Financial Management Review report tabled.

19067 HANSEN/STEER

That Council;

1. Accept the report including a review of Local Government (Audit) Regulation 1996 Regulation 17 Review 2019 and Financial Management Review.

2. Delegate to the Audit Committee the responsibility of applying and prioritising the risk rating for each recommended improvement within the Regulation 17 Review 2019 and Financial Management Review report tabled.

CARRIED (6/0)

Shire of Nannup
Ordinary Council Meeting Minutes: 27 June 2019

AGENDA NUMBER:	12.4
SUBJECT:	Proposed WALGA South West Zone – Community Newspaper Awards
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor – Chief Executive Officer
FILE REFERENCE:	DEP 14
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	10 June 2019
ATTACHMENTS:	12.4.1 - Draft SW Zone Item – Community Newspaper Awards

BACKGROUND:

The next Western Australian Local Government Association South West Zone Meeting will be held 28 June 2019. The Shire of Nannup together with the Shire of Donnybrook-Balingup seek Council's approval to submit an agenda item regarding the creation of a community newspaper awards program in regional and remote Western Australia.

Should the WAGLA South West Zone approve the recommendation, it will then go to the WALGA State Council meeting for a decision.

COMMENT:

It is recommended that WALGA develop an annual award program to recognise the significant contribution of community newspapers in regional and remote communities of Western Australia.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council agree to submit a joint agenda item with the Shire of Donnybrook-Balingup regarding the creation of a community newspaper awards program to the next WALGA South West Zone meeting.

19068 DEAN/LONGMORE

That Council agree to submit a joint agenda item with the Shire of Donnybrook-Balingup regarding the creation of a community newspaper awards program to the next WALGA South West Zone meeting.

CARRIED (6/0)

Shire of Nannup
Ordinary Council Meeting Minutes: 27 June 2019

AGENDA NUMBER:	12.5
SUBJECT:	Desktop Review of Strategic Community Plan and Corporate Business Plan
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor – Chief Executive Officer
FILE REFERENCE:	ADM 29D
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	14 June 2019
ATTACHMENTS:	12.5.1 - Strategic Community Plan 2017-2027 12.5.2 - Corporate Business Plan 2019-2023

BACKGROUND:

All local governments are required to plan for the future of their district under the *Local Government Act 1995* with the *Local Government (Administration) Regulations 1996* outline the minimum requirements to achieve this.

The Department of Local Government and Communities' Integrated Strategic Planning and Reporting Framework (the Framework) provides the basis for improving the practice of strategic planning in local government.

In accordance with the Framework, Council is to adopt a Strategic Community Plan that outlines strategic priorities to address the community's long-term vision. The priorities and goals of the Strategic Community Plan are driven by community engagement and takes a 'whole of Shire' approach. The Strategic Community Plan is to be desktop reviewed at least every 2 years and undergo a major review at least once every 4 years.

The Corporate Business Plan 2019-2023 (tabled), also required under the Framework, defines the actions that the Shire will undertake over a four (4) year period that contributes to the achievement of the community goals and strategies outlined in the Strategic Community Plan. A local government is to review its current Corporate Business Plan every year, of which reference is made to the CBP annually when developing the annual budget.

COMMENT:

The content of the Strategic Community Plan and Corporate Business Plan has been reviewed by staff with no major changes required. As per the requirement the Corporate Business Plan has been updated to be rolling for the next 4 years
It is noted that per the Department of Local Government Integrated Planning and reporting Framework and Guidelines a review of the entire Integrated Planning Framework should be undertaken as soon as practicable after Council Elections; therefore, it is intended that a formal review will take place at this time.

STATUTORY ENVIRONMENT:

Local Government Act 1995
Local Government (Administration) Regulations 1996

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The financial projections contained in the plan are not binding on Council but should be reflected upon when Council determines its annual budget.

STRATEGIC IMPLICATIONS:

Shire of Nannup Integrated Planning Framework

RECOMMENDATION:

That Council;
a). accept the Shire of Nannup Strategic Community Plan 2017 – 2027 as being desktop reviewed, and
b). accept the Shire of Nannup Corporate Business Plan 2019 – 2023 as being desktop reviewed.

19069 BUCKLAND/HANSEN

That Council;
a). accept the Shire of Nannup Strategic Community Plan 2017 – 2027 as being desktop reviewed, and

b). accept the Shire of Nannup Corporate Business Plan 2019 – 2023 as being desktop reviewed.

CARRIED (6/0)

Shire of Nannup
Ordinary Council Meeting Minutes: 27 June 2019

AGENDA NUMBER:	12.6
SUBJECT:	Review of Delegations
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 22a
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	17 June 2019
ATTACHMENTS:	12.6.1 – 2019 Shire of Nannup Register of Delegation of Authority

BACKGROUND:

Section 5.46(2) of the *Local Government Act 1995* requires a local government to review its delegations to officers at least once every financial year.

The *Act* enables Council to delegate many of its functions and powers to Chief Executive Officer and committees for the purpose of facilitating the smooth running of Council's operations.

Where a delegation is delegated to the Chief Executive Officer, this can be further delegated to other officers by the Chief Executive Officer in alignment with any conditions that Council may have stipulated within each delegation.

COMMENT:

The last review of the Delegations Register was in February 2018.

The Chief Executive Officer commissioned the services of Mr Steven Tweedie, a Public Service Commission professional to provide an independent peer-review of the Shire of Nannup Delegations Register to test for correctness, compliance and any recommended amendments.

Mr Tweedie's peer-review found that the existing delegations register required a number of minor changes relating legislative reference and technical correctness. Many of these amendments have been made within the register. Mr Tweedie recommended removing a number of delegations as these were already the function of the CEO without the need for a delegation; these are still included within the Register and their removal will be discussed with Council before the next review.

As Councillors will note the delegations register has been reformatted along functional lines to improve its usability with the inclusion of legislative excerpts for ease of reference. Each delegation includes a reference number that will assist the reader to match against last year's delegations register.

All delegations that are recommended to be revoked have been included within the Appendix to the Register of Delegations.

STATUTORY ENVIRONMENT:

Section 5.46(2) of the *Local Government Act 1995*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The peer-review commission by Steven Tweedie cost \$500. All other costs if implementing changes have been performed by employees.

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council in accordance with Section 5.42 of the Local Government Act 1995 and other Acts as designated, delegate the exercise of its power and duties in accordance with the 2019 Shire of Nannup Register of Delegations to the Chief Executive Officer.

19070 HANSEN/STEER

That Council in accordance with Section 5.42 of the Local Government Act 1995 and other Acts as designated, delegate the exercise of its power and duties in accordance with the 2019 Shire of Nannup Register of Delegations to the Chief Executive Officer.

CARRIED (6/0)

Shire of Nannup
Ordinary Council Meeting Minutes: 27 June 2019

AGENDA NUMBER:	12.7
SUBJECT:	2017/18 Local Government Grants Scheme Capital and Operating Grants. Approved Capital Grant – Darradup Bush Fire Brigade Extend Garage and Ablutions
LOCATION/ADDRESS:	Darradup
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:	18 June 2019

BACKGROUND:

A letter dated the 23rd August 2017 was received by the Shire of Nannup from the Government of Western Australia Department of Fire & Emergency Services (DFES) alerting the shire to the 2017/18 Grants Scheme – Capital and Operating Grants and the results of the Bush Fire Brigades Local Government Grants Scheme 2017/18 Application Assessment.

The Application Assessment identified “Approved Capital Grants” for the Shire of Nannup as being \$70,000 being made available for the Darradup Bush Fire Brigade Extend Garage & Ablutions

COMMENT:

As the Shire was alerted to application results in August 2017 the grant was not originally included in the 2017/2018 Financial Year Budget (FY) and shire officers overlooked its inclusion in the 2017/18 FY review.

The available monies were not spent within the 2017/18 FY and although still available to the shire was not identified and flagged by officers for the 2018/2019 Financial Year Budget as a carry over.

The Community Emergency Services Manager was aware the grant monies were available for the Shire to use and assuming this had been included as a budget item in the 2018/19 FY continued with and completed the upgrade to the Darradup BFB building with a total spend of \$76,94. Note: The overspend of \$6941 will be supported by DFES.

As the Grant monies were overlooked and not carried forward into the 2018/2019 FY the Grant amount of \$70000 needs to be identified and included as income and expenditure in the 2018 2019 Financial Year Budget.

STATUTORY ENVIRONMENT:

Local Government Act 1995 Part 6 Financial Management

POLICY IMPLICATIONS:

FNC 6

FINANCIAL IMPLICATIONS:

Income as Grant Funds and Expenditure against 2018 2019 Financial Year Budget.

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

1. That Council accept and endorse the Bush Fire Brigades Local Government Grants Scheme 2017/18 Approved Capital Grant of \$70000 as budget income in its 2018 2019 Financial Year Budget and;
2. That Council accept and endorse the Bush Fire Brigades Local Government Grants Scheme 2017/18 Approved Capital Grant as budget expenditure in its 2018 2019 Financial Year Budget to be spent on the Darradup Bush Fire Brigade Garage extend and ablutions.

19071 BUCKLAND/LONGMORE

1. *That Council accept and endorse the Bush Fire Brigades Local Government Grants Scheme 2017/18 Approved Capital Grant of \$70000 as budget income in its 2018 2019 Financial Year Budget and;*
2. *That Council accept and endorse the Bush Fire Brigades Local Government Grants Scheme 2017/18 Approved Capital Grant as budget expenditure in its 2018 2019 Financial Year Budget to be spent on the Darradup Bush Fire Brigade Garage extend and ablutions.*

CARRIED (6/0)

Shire of Nannup
Ordinary Council Meeting Minutes: 27 June 2019

AGENDA NUMBER:	12.8
SUBJECT:	Acceptance of Shire of Nannup Draft Cultural 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	19 June 2019
ATTACHMENT:	12.8.1 - Shire of Nannup Draft Cultural Plan

BACKGROUND:

The previous Cultural Plan 2010-2015 has been reviewed through a process of community consultation.

Cultural planning supports local economic development and encourages municipalities to integrate cultural planning into their daily business; to emphasize local arts, cultural industries, heritage and libraries as we plan for the future of our communities. Culture adds to the wealth of a community in many ways, such as attracting tourists, creating jobs, revitalizing neighbourhoods and attracting new businesses.

COMMENT:

A high number of the key recommendations in the previous Cultural Plan were achieved by Council and community groups. This demonstrates the value of the plan and that it has remained active and current to the community needs.

Consultation has been undertaken with community organisations, artists, Creative Corner who are based in Margaret River and engaged residents within the shire. A drop in day and written survey were also completed.

These recommendations form part of an informing document to Council's Strategic Community Plan.

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

\$2,000 annual operational budget to implement activities and leverage further funding.

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 to live and is full of wonderful people.

RECOMMENDATIONS:

1. That Council receive the final draft of the Shire of Nannup Cultural Plan.
2. That Council advertise the plan for public comment for one month with copies made available at the Shire Office and on the Shire website and copies sent to the Nannup Arts Council, Nannup Music Club, Nannup CWA, Nannup Historical Society, Big N, Nannup Community Resource Centre and the Nannup Lions Club.

19072 HANSEN/LONGMORE

1. ***That Council receive the final draft of the Shire of Nannup Cultural Plan.***
2. ***That Council advertise the plan for public comment for one month with copies made available at the Shire Office and on the Shire website and copies sent to the Nannup Arts Council, Nannup Music Club, Nannup CWA, Nannup Historical Society, Big N, Nannup Community Resource Centre and the Nannup Lions Club.***

CARRIED (6/0)

Shire of Nannup
Ordinary Council Meeting Minutes: 27 June 2019

AGENDA NUMBER:	12.9
SUBJECT:	Request for extension for reduced rate on Town Hall Hire Fees
LOCATION/ADDRESS:	Nannup Town Hall
NAME OF APPLICANT:	Nannup Community Cinema Committee
FILE REFERENCE:	ASS 5
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 June 2019
ATTACHMENTS:	12.9.1 - Letter - Nannup Film Society – request for support

BACKGROUND:

Nannup Community Cinema Group are seeking Council's continued support to extending the current town hall hire fee reduction of 50% per session including a 50% reduction in gas costs.

COMMENT:

The Nannup Community Cinema Group is a not-for-profit, small film group, run by a committee of volunteers and as such, runs on a very low budget. The Group's primary aim is to promote and encourage interest in films, and to provide a means of bringing the community together on a regular basis in a spirit of goodwill, through the provision of a program of films for their membership.

This group was previously a membership based film society whereby members could attend film showings. In an effort to boost numbers, this structure has been revised to the current arrangement to encourage more people to use this service.

Speaking with the President of the Nannup Community Cinema Committee, Ms Alison Kay, the group continues to struggle to cover costs and to help in this regard, run a number of fund raising activities to help raise funds. Examples of how this fund raising is completed includes:

1. Australasian Touring Caravan & Camping Club – screening of settlement story
2. Nannup Flower & Garden Festival – projection on stage for dance
3. CinefestOZ Film Festival – FREE Community Screenings, and special screenings for Nannup District High School
4. Thylacine Documentary – Meet & Greet session and new documentary screening
5. Tour of Margaret River – specific film screening of interest to cyclists

As mentioned in the attached letter, the group are not trying to make a profit but are requesting the reduction in fees as *a way of ensuring that this service can continue to provide an arts based service to the community.*

From Council's perspective, when a similar request was received in June 2018, Council endorsed:

18108 STEER/HANSEN

That Council continue to support the Nannup Film Society in the 2018/19 financial year and approve the following:

a) Continue the 50% per session reduction in Hall Hire Fees.

b) Provide a 50% reduction to the newly proposed fees for 2018/19 associated with the use of the gas heaters in the Town Hall.

CARRIED (8/0)

There have been no underlying concerns as a result of this current resolution and based on this it is Officers recommendation that a similar fee structure be endorsed for the upcoming year. It is noted however that the Fees and Charges for the upcoming financial year are yet to be endorsed and as a result the actual fee will need to be provided to the group once the budget for the upcoming period has been finalised.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

Policy BLD 1 – Relating to Use/Hire of Community Facilities

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

Should a “not-for profit” community group/organisation seek the waiving of any fees and charges imposed for use/hire of a community facility, an application in writing is to be submitted and presented to Council for consideration.”

FINANCIAL IMPLICATIONS:

Loss of income in Hall Hire fees and fees relating to the use of the gas heaters within the Town Hall.

2019/20 proposed Fees and Charge;

Hall Hire	Per Session	\$73
Surcharge for Gas Heaters	Per Hour	\$6
Surcharge for Gas Heaters	Daily	\$42

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 continue to support the Nannup Film Society in the 2019/20 financial year and approve the following:

- a) Continue the 50% per session reduction in Hall Hire Fees.
- b) Provide a 50% reduction to fees associated with the use of the gas heaters in the Town Hall.

19073 STEER/BUCKLAND

That Council continue to support the Nannup Film Society in the 2019/20 financial year and approve the following:

- a) Continue the 50% per session reduction in Hall Hire Fees.***
- b) Provide a 50% reduction to fees associated with the use of the gas heaters in the Town Hall.***

CARRIED (6/0)

Shire of Nannup
Ordinary Council Meeting Minutes: 27 June 2019

AGENDA NUMBER:	12.10
SUBJECT:	Monthly Accounts for Payment - May 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	20 June 2019
ATTACHMENT:	12.10.1 – Accounts for Payment – May 2019 12.10.2 – Credit Card Payment – May 2019

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 May 2019 to 31 May 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	11576 – 11657	352,544.79
Accounts paid by cheque	20371 – 20387	1,663.18
Accounts paid by Direct Debit	DD10483.1 – DD10488.12	42,566.10
<i>Sub Total Municipal Account</i>		<u>\$396,774.07</u>

Trust Account

Accounts paid by EFT	11593, 11617-11618	1,388.21
Accounts Paid by cheque		
<i>Sub Total Trust Account</i>		<u>\$1,388.21</u>

Total Payments

\$398,162.28

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 \$398,162.28 1 May 2019 to 31 May 2019 in the attached schedule(s) be endorsed.

19074 BUCKLAND/FRASER

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$398,162.28 1 May 2019 to 31 May 2019 in the attached schedule(s) be endorsed.

CARRIED (6/0)

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

CONFIDENTIAL ITEM

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)

19075 STEER/LONGMORE

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 (6/0)

**Shire of Nannup
Ordinary Council Meeting Minutes: 27 June 2019**

AGENDA NUMBER:	14.1
SUBJECT:	Nannup Skip Bins Reduced Fees
LOCATION/ADDRESS:	Nannup Skip Bins
NAME OF APPLICANT:	Nannup Skip Bins
FILE REFERENCE:	FNC 10
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	18 June 2019

PROCEDURAL RECOMMENDATION:

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

19077 LONGMORE/BUCKLAND

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

CARRIED (6/0)

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

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

15.1 19078 DEAN/LONGMORE

“That Council records its gratitude and appreciation for Colin Styles and his 30 years of dedicated and loyal service to the Shire and the people of Nannup. That Council passes on its condolences to Jenny, Brad, Rebecca, family and friends at this time.”

CARRIED (6/0)

15.2 19079 DEAN/BUCKLAND

“That Council records its’ gratitude and appreciation to Louise Stokes on her 12 years of loyal faithful service to the Shire and people of Nannup.”

CARRIED (6/0)

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

Nil.

17. CLOSURE OF MEETING

The Shire President declared the meeting closed at 5.42pm.