



Shire of
Nannup
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Minutes

Council Meeting held Thursday 22 August 2019

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4.32pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

(previously approved)

ATTENDANCE:

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

David Taylor – Chief Executive Officer
Jonathan Jones – Manager Infrastructure.
Robin Lorkiewicz – Acting Manager Corporate Services
Jane Buckland – Development Services Officer

APOLOGIES:

Tracie Bishop – Manager Corporate Services

LEAVE OF ABSENCE:

Nil

VISITORS:

Cheryle Brown, Rita Stallard, Julie Kay, Bee Winfield, Phil Hewitt, Chrissie Parrott.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Rita Stallard – East Nannup Road

Question 1

Thank you to Mr Jones for fixing a dangerous situation in the Recreation Centre storage area. Can the supports for the tennis net please be reinstated?

Shire President

The Officers will look into this for you.

Bee Winfield

Question 1

Can Council promote the collection of e-waste (where it can be recycled) and promote other recycling ventures within the Shire of Nannup?

Shire President

The Shire of working towards initiatives that support recycling initiatives.

Question 2

Can an alternative to Roundup also be investigated for use within the Shire of Nannup?

Chief Executive Officer

The Shire have been trialling alternatives to Roundup within the its operations. Unfortunately, to date we have not found an effective alternative as they require multiple re-treatments and have proven have a much higher cost in two ways; through multiple retreatments and a higher level of concentrate required. At this point in time the Australian Regulators have not banned the use of Glyphosate and as you know it is effective and extensively used in Local Governments and Agriculture. Nonetheless, Shire staff are continuing to trial other products.

Cheryle Brown

Question 1

What is the procedure for the answering of questions taken on notice at Ordinary Council meetings? Are they generally included as part of the next months' Agenda?

Chief Executive Officer

Once the response has been provided, the response is published in the next Ordinary Council Agenda following that date of which the response was provided.

5. APPLICATIONS FOR LEAVE OF ABSENCE

19106 LONGMORE/STEER

That Cr Buckland and Cr Mellema be granted Leave of Absence for the 26 September 2019 Ordinary Shire Meeting.

CARRIED (8/0)

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Mr Phil Hewitt made a deputation to Council regarding Agenda item 12.2 – (Development Application for Bed & Breakfast Accommodation within existing dwelling), an item for which he is an applicant.

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.

Cr Buckland declared an Impartiality Interest in Item 12.4 Revision of Parameters Surrounding Direct Debit Payment of Rates.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

19107 BUCKLAND/LONGMORE

That the Minutes of the Ordinary Council Meeting held 25 July 2019 be confirmed as a true and correct record.

CARRIED (7/1)
Cr Fraser voted against the motion.

9. MINUTES OF OTHER COUNCIL COMMITTEES/REPRESENTATIVE COMMITTEES

19108 STEVENSON/LONGMORE

That the Minutes of the Risk Management Advisory Committee meeting held 26 March 2019 be received.

CARRIED (8/0)

19109 MELLEMA/BUCKLAND

That the unconfirmed Minutes of the Audit Advisory Committee meeting held Thursday 22 August 2019 be received by Council and the recommendations within be endorsed.

CARRIED (8/0)

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

12. REPORTS OF OFFICERS

AGENDA NUMBER:	12.1
SUBJECT:	Delegated Planning Decisions for June & July 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:	31 st July 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 June & July 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 June & July 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 June & July 2019 compared to June & July 2018:

	June & July 2018	June & July 2019
Delegated Decisions	7 (\$330,880)	6 (\$280,318)
Council Decisions	2 (\$345,000)	1 (\$5,000)
Total	9 (\$675,880)	7 (\$285,318)

85% of all approvals issued in the month of June & July were completed within the statutory timeframes of either 60 or 90 days. One application was determined outside the statutory timeframe (78 days) due to staff leave and the application being determined by Council.

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 June & July 2019 as per Attachment 12.1.1.

19110 LONGMORE/BUCKLAND

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

CARRIED (8/0)

**Shire of Nannup
Ordinary Council Meeting Minutes: 22 August 2019**

AGENDA NUMBER:	12.2
SUBJECT:	Development Application for Bed & Breakfast Accommodation within existing dwelling
LOCATION/ADDRESS:	Lot 2008 (No. 48) Nursery Road, East Nannup
NAME OF APPLICANT:	Philip & Patricia Hewitt
FILE REFERENCE:	A1244
AUTHOR:	Steve Thompson – Consultant Planner
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Edge Planning & Property receive payment for planning advice to the Shire and declare a Financial Interest (section 5.70 of the Local Government Act 1995)
DATE OF REPORT: PREVIOUS MEETING REFERENCE:	14 August 2019 Nil
ATTACHMENT:	12.2.1 - Location map 12.2.2 - Information from applicant 12.2.3 - Submissions - Local Planning Policy 4 Bed & Breakfast

BACKGROUND:

The Shire has received a Development Application from the owners of Lot 2008 (No. 48) Nursery Road, East Nannup to establish a bed and breakfast accommodation (B&B) use in portion of an existing dwelling.

The site:

- is located approximately 7 kilometres east south-east of the Nannup townsite (shown in Attachment 12.2.1);
- adjoins and is near rural land and State Forest;
- is 64.77 hectares in area;
- contains a tree plantation, cleared land used for grazing and there are some areas of native vegetation;
- contains a dwelling, sheds, a large dam and has approval for a nursery; and
- is accessed via the unsealed Nursery Road. The site also adjoins Uranium Road to the south.

Details of the proposal are set out in Attachment 12.2.2. In summary, the applicant proposes to make available two bedrooms (each with an ensuite) for short term accommodation, along with use of other shared spaces within the dwelling. The landowners/managers will reside in the dwelling and will be responsible for undertaking day to day management activities.

Consultation

The Shire administration undertook consultation through inviting public comment on the Development Application for a period of 14 days by writing to 5 adjoining/nearby landowners.

The Shire received 3 submissions on the Development Application, all raising no objections, as outlined in Attachment 12.2.3. The only issue raised, by one submitter, related to increased traffic and associated maintenance of Nursery Road.

Planning framework

The property is zoned 'Agriculture' in the *Shire of Nannup Local Planning Scheme No. 3* (LPS3).

A B&B is a 'D' (discretionary) use in the Agriculture Zone as set out in the LPS3 Zoning Table. LPS3 sets out the following definition:

bed and breakfast accommodation means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term basis and includes the provision of breakfast.

The Local Planning Strategy supports tourist accommodation in rural areas of the Shire that appropriately address bushfire planning, environmental assets, landscape qualities and compatibility with adjoining land uses.

The *Shire of Nannup Strategic Community Plan 2017 – 2027* identifies tourism as one of the strategic drivers, the plan seeks to attract more people to the district and the plan supports a diversified economic base.

Local Planning Policy 4 Bed & Breakfast is set out in Attachment 12.3.4. The application is consistent with this Policy.

The property is located within a bush fire prone area of Western Australia as designated by the Fire and Emergency Services Commissioner. Based on modest clearing of non-native vegetation from neighbouring properties, portions of the property are expected to be removed from the designated bushfire prone area in the next update of the mapping.

Other planning documents are outlined in the Statutory Environment and Policy Implications section.

COMMENT:

Following an assessment of the Development Application against the planning framework, submissions and information provided by the applicant, the Development Application is generally consistent with LPS3, strategies and policies.

It is recommended that Council conditionally approve the Development Application given:

- it is a low-key use which is not expected to create off-site impacts;
- it is overall consistent with the planning framework;
- it supports diversifying the local economy and supports tourism;
- the B&B is well setback from off-site agricultural operations and there are expected to be no off-site amenity impacts;
- there are no environmental impacts;
- the proposal has the benefit of the owners/managers living in the dwelling. This assists with effective management, assist to reduce bushfire risks and assists with enhancing emergency management procedures; and
- development conditions can assist to control the use and management of the development.

While noting the above, relevant planning considerations include:

- a B&B use is classified as a 'vulnerable' land use in a rural area in State Government publications. The publications note that some visitors may be less able to respond in a bushfire emergency as they are unaware of their surroundings, and who may require assistance or direction in the event of a bushfire. Significantly, guests will be staying with the hosts. This reduces the risk to guests who may be unfamiliar with the area;
- while the applicant has set out ways of reducing risks (see Attachment 12.2.2), the applicant recognises there is a need to commission an appropriate bushfire practitioner to prepare a Bushfire Management Plan (BMP) and a Bushfire Emergency Evacuation Plan (BEEP). It is recommended that the BMP and BEEP be prepared and implemented prior to the B&B use commencing;
- road upgrading and developer contributions - based on Council's *Local Planning Policy 20 Developer and Subdivider Contributions*, it is suggested the local government would not require a financial contribution from a developer/proponent for a low-key use of a B&B. It is also suggested that the standard of Nursery Road and associated maintenance is a separate matter to this current Development Application. At the time of preparing this report, the Shire will shortly install traffic counters to gain a better understanding of traffic volumes and types of traffic. Subject to outcomes, this will be separately reported back to Council. Should additional development be proposed on 48 Nursery Road, the Shire will advise the landowner whether this may trigger a requirement to make a necessary contribution to upgrade Nursery Road based on Local Planning Policy 20;
- effective on-going management – this will be enhanced and addressed through preparation and implementation of a Management Plan; and

- until a few years ago, the site was zoned 'Special Use (SU2)'. This former zoning provided the potential for 20 chalets. Based on a landowner request, the site's zoning was changed from 'Special Use (SU2)' to 'Agriculture'. This essentially was a 'down zoning' which resulted in the site's zoning being consistent with adjoining and nearby agricultural properties. The proposed B&B has, of course, far lower bushfire and associated risks than 20 chalets.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and LPS3.

POLICY IMPLICATIONS:

There are several relevant policies and supporting documents including *State Planning Policy 3.7 Planning in Bushfire Prone Areas, Guidelines for Bushfire Prone Areas, draft Position Statement: Tourism land uses within bushfire prone areas and Bushfire Planning and Policy Review (January 2019)* and the *Local Planning Strategy*

There are various Local Planning Policies (LPP) which are relevant in assessing the Development Application including LPP4 Bed & Breakfast, LPP12 *Tourist Accommodation in Rural Areas*, LPP20 *Developer and Subdivider Contributions* and LPP21 *Bush Fire Management*. 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 policies but is required to have regard to the policies in determining the Development Application.

FINANCIAL IMPLICATIONS:

None.

STRATEGIC IMPLICATIONS:

The application, if approved and implemented, will assist to support a more diversified economic base.

RECOMMENDATION:

That Council approve the Development Application for Bed and Breakfast Accommodation which is added to the current use of single dwelling on Lot 2008 on Plan 126679 (No. 48) Nursery Road, East Nannup, subject to the following conditions:

1. This approval shall expire if the development hereby approved has not been substantially commenced within a period of two years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed, no further development is to be carried out.
2. The development hereby approved is to be carried out in accordance with the plans and specifications submitted with the application, addressing all conditions, or otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.
3. A smoke alarm must be installed in the dwelling, relating to portions to be used by guests, on or near the ceiling:
 - a) in every bedroom; and
 - b) in every corridor or hallway associated with a bedroom or, if there is no corridor or hallway, in an area between the bedrooms and the remainder of the subject building.
4. A system of emergency lighting must be installed in the dwelling, relating to portions to be used by guests, to assist evacuation of occupants in the event of fire and this lighting must:
 - a) be activated by a smoke alarm(s) (required by the previous Condition); and
 - b) consist of:
 - i) a light incorporated within the smoke alarm(s) itself; or
 - ii) lighting located within the corridor, hallway or area served by the required smoke alarm(s).
5. A Bushfire Management Plan is to be approved by the local government and then implemented prior to commencement of the bed and breakfast use. Following this, measures and recommendations in the approved Bushfire Management Plan are to be maintained to the satisfaction of the local government.
6. A Bushfire Emergency Evacuation Plan is to be approved by the local government and then implemented prior to commencement of the bed and breakfast use. Following this, measures in the approved Bushfire Emergency Evacuation Plan are to be maintained to the satisfaction of the

local government. This includes that the Evacuation Plan is to be displayed at all times in the portion of the dwelling to be used by guests.

7. The landowner is to submit and gain local government approval for a Management Plan, prior to commencement of the bed and breakfast use, which addresses the responsibility for the behaviour of clients/visitors and the management measures to be implemented to minimise adverse impacts on the amenity of the locality. The approved management details shall be implemented on an ongoing basis to the satisfaction of the local government.
8. An adequate on-site potable water supply is provided in accordance with the *Australian Drinking Water Guidelines 2004* prior to commencement of the bed and breakfast use.
9. The applicant shall not erect any advertising or signage at the site without the prior approval of the local government.
10. A maximum of six guests are permitted to stay at any one time.

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. This, in part, will result in the building being a 'Mixed Use' building. This will add a Class 1b classification, in addition to the Class 1a classification, as set out in the *National Construction Code*.
- B) In relation to Conditions 5 and 6, these plans should be regularly reviewed to ensure they comply with best practice to assist in managing bushfire risk.
- C) In relation to Condition 7, the Management Plan is to:
 - i) address the responsibility for clients'/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;
 - ii) outline the approach to maximise the safety and security of clients and visitors;
 - iii) seek the operation to be a good neighbour and be considerate including noise, litter and the approach to reducing fire risks; and
 - iv) acknowledge that the development is in an agricultural area and that the impacts of agricultural pursuits should be expected and tolerated.
- D) In relation to Condition 8, the local government may require water samples to be taken and independently analysed. Should the local government be required to arrange the testing, it will be at the cost of the landowner/operator.

- E) In relation to Condition 9, some signs are exempt from development approval while other signs require a Development Application to the local government. Please contact the Shire for further details.
- F) The proponent is advised that the approved development must comply with all relevant provisions of the *Health (Miscellaneous Provisions) Act 1911*, *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*, and the *Shire of Nannup Health Local Laws*.
- G) A low fuel area should always be permanently maintained around the dwelling.
- H) The applicant/landowner should ensure that a suitable Public Liability Insurance Policy is always maintained while the bed and breakfast use is operating.
- I) Part 14 of the *Planning and Development Act 2005* provides the right to apply to the State Administrative Tribunal for review of some planning decisions and the proponent may wish to take professional advice to determine whether or not such a right exists in the present instance. The *State Administrative Tribunal Rules 2004* require that any such applications for review be lodged with the Tribunal.

19111 MELLEMA/LONGMORE

That Council approve the Development Application for Bed and Breakfast Accommodation which is added to the current use of single dwelling on Lot 2008 on Plan 126679 (No. 48) Nursery Road, East Nannup, subject to the following conditions:

- 1. This approval shall expire if the development hereby approved has not been substantially commenced within a period of two years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed, no further development is to be carried out.***
- 2. The development hereby approved is to be carried out in accordance with the plans and specifications submitted with the application, addressing all conditions, or otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.***
- 3. A smoke alarm must be installed in the dwelling, relating to portions to be used by guests, on or near the ceiling:***

- a) *in every bedroom; and*
 - b) *in every corridor or hallway associated with a bedroom or, if there is no corridor or hallway, in an area between the bedrooms and the remainder of the subject building.*
4. *A system of emergency lighting must be installed in the dwelling, relating to portions to be used by guests, to assist evacuation of occupants in the event of fire and this lighting must:*
- a) *be activated by a smoke alarm(s) (required by the previous Condition); and*
 - b) *consist of:*
 - i) *a light incorporated within the smoke alarm(s) itself; or*
 - ii) *lighting located within the corridor, hallway or area served by the required smoke alarm(s).*
5. *A Bushfire Management Plan is to be approved by the local government and then implemented by the 1st November 2019; prior to the commencement of the bed and breakfast use. Following this, measures and recommendations in the approved Bushfire Management Plan are to be maintained to the satisfaction of the local government.*
6. *A Bushfire Emergency Evacuation Plan is to be approved by the local government and then implemented by the 1st November 2019; prior to the bed and breakfast use. Following this, measures in the approved Bushfire Emergency Evacuation Plan are to be maintained to the satisfaction of the local government. This includes that the Evacuation Plan is to be displayed at all times in the portion of the dwelling to be used by guests.*
7. *The landowner is to submit and gain local government approval for a Management Plan, prior to commencement of the bed and breakfast use, which addresses the responsibility for the behaviour of clients/visitors and the management measures to be implemented to minimise adverse impacts on the amenity of the locality. The approved management details shall be implemented on an ongoing basis to the satisfaction of the local government.*
8. *An adequate on-site potable water supply is provided in accordance with the Australian Drinking Water Guidelines 2004 prior to commencement of the bed and breakfast use.*
9. *The applicant shall not erect any advertising or signage at the site without the prior approval of the local government.*
10. *A maximum of six guests are permitted to stay at any one time.*

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. This, in part, will result in the building being a 'Mixed Use' building. This will add a Class 1b classification, in addition to the Class 1a classification, as set out in the National Construction Code.***
- B) ***In relation to Conditions 5 and 6, these plans should be regularly reviewed to ensure they comply with best practice to assist in managing bushfire risk.***
- C) ***In relation to Condition 7, the Management Plan is to:***
- i) address the responsibility for clients'/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;***
 - ii) outline the approach to maximise the safety and security of clients and visitors;***
 - iii) seek the operation to be a good neighbour and be considerate including noise, litter and the approach to reducing fire risks; and***
 - iv) acknowledge that the development is in an agricultural area and that the impacts of agricultural pursuits should be expected and tolerated.***
- D) ***In relation to Condition 8, the local government may require water samples to be taken and independently analysed. Should the local government be required to arrange the testing, it will be at the cost of the landowner/operator.***
- E) ***In relation to Condition 9, some signs are exempt from development approval while other signs require a Development Application to the local government. Please contact the Shire for further details.***
- F) ***The proponent is advised that the approved development must comply with all relevant provisions of the Health (Miscellaneous Provisions) Act 1911, Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974, and the Shire of Nannup Health Local Laws.***
- G) ***A low fuel area should always be permanently maintained around the dwelling.***
- H) ***The applicant/landowner should ensure that a suitable Public Liability Insurance Policy is always maintained while the bed and breakfast use is operating.***

- l) Part 14 of the Planning and Development Act 2005 provides the right to apply to the State Administrative Tribunal for review of some planning decisions and the proponent may wish to take professional advice to determine whether or not such a right exists in the present instance. The State Administrative Tribunal Rules 2004 require that any such applications for review be lodged with the Tribunal.***

CARRIED (8/0)

**Shire of Nannup
Ordinary Council Meeting Minutes: 22 August 2019**

AGENDA NUMBER:	12.3
SUBJECT:	Acceptance of Shire of Nannup Draft Cultural Plan
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WLF 5
AUTHOR:	Nicole Botica – Economic & Community Development Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	19 August 2019
ATTACHMENT:	12.3.1 - Shire of Nannup Draft Cultural Plan 12.3.2 - Letter from Nannup Garden Village Committee

BACKGROUND:

The previous Cultural Plan 2010-2015 has been reviewed through a process of community consultation. This was advertised for public comment for a period of one month and letters inviting comment were sent to Nannup Arts Council, Nannup Music Club, Nannup CWA, Nannup Historical Society, Big N, Nannup Community Resource Centre and the Nannup Lions Club. Public comments closed on 26 July 2019. 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.

While completing the Cultural Plan 2019, consultation has been undertaken with numerous groups, these include:

- Community organisations,
- Artists,
- Creative Corner (who are based in Margaret River),
- Engaging with residents within the shire, and
- A drop in day and invitation to complete a written survey.

The recommendations collated through this process now form part of an informing document to Council's Strategic Community Plan 2017 - 2027.

During the public comment period only one group, Nannup Garden Village, submitted a formal letter expressing their support for recommendations 9, 11, 12, 15 and 29, with further recommendation to enhance the culture of Nannup town offering consideration to include other assets in the plan. A copy of this letter is attached.

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 consider the recommendations of the Nannup Garden Committee to enhance the Shire of Nannup Cultural Plan 2019.
2. That Council endorse the Shire of Nannup Cultural Plan 2019.

19112 DEAN/STEVENSON

That the recommendation be left on the table; needs further work before going to Council.

CARRIED (8/0)

Cr Buckland declared an Impartiality Interest in Item 12.4 Revision of Parameters Surrounding Direct Debit Payment of Rates.

AGENDA NUMBER:	12.4
SUBJECT:	Revision of parameters surrounding direct debit payment of rates
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Tracie Bishop – Manager Corporate Services
FILE REFERENCE:	
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	6 August 2019
ATTACHMENTS:	Nil

BACKGROUND:

In an effort to ensure that rates were paid in a timely manner, Council introduced the option to have rates payments directly debited from a chosen bank account of the ratepayers choosing. As an incentive for ratepayers to consider this option there was a built in parameter that if the ratepayer chose to use this method to pay their rates account then penalty interest would not be applied.

COMMENT:

For the most part, ratepayers who take up this option do so with the intent that by the end of the current financial year their rates liability will be paid in full (90.74%). At the time of adopting this practice, Council were of the opinion that this method would ensure this timely payment of rates, would reduce the need to send out instalment notices on a quarterly basis which therefore would make this method more efficient and less of an impost on officer time. Additionally, it would reduce costs associated with producing and posting out instalment notices.

However, over time it has become apparent that there are some ratepayers who have set up direct debits without ensuring that the rates debt will be paid in full by the end of the financial year. In some cases, based on the repayment amount selected, there is no possibility that the rates liability will ever be reduced to zero.

After reviewing these properties, which it must be noted are in the minority (9.26% overall), however, the amount outstanding from these ratepayers is \$26,000 which for a Council the size of Nannup is material. Officers would like to suggest the following changes to the parameters surrounding direct debits and rates payments:

1. The current parameter of not attracting penalty interest continue to apply to ratepayers who are ensuring that their rates liability is paid within the current financial year;
2. For rate payers who have direct debit authorities already in place, but will not meet the criteria of Point One above, a 12-month extension be applied to allow them to repay their rates liability and continue to receive the non-penalty interest application that is currently in place.
3. For all new direct debit applications, and all ratepayers overall as at 1/7/2021, the principle surrounding no penalty interest being applied will be that the rates accounts are paid in full by June 30 of the current financial year.

This would appear to be the most equitable solution overall. By notifying all applicable ratepayers at the time of rates being raised this financial year there should be sufficient time to look at ways to achieve this outcome. While it is noted that in some instances, as a result of the current debt being up to 4 times that of rates raised in any one year, this could create stress for some ratepayers. However, the reality is that all other ratepayers have managed their budgets in such a way as to ensure timely repayment of their rates debt. By reassessing the way in which the discount is applied Council is simply not rewarding those ratepayers who, for whatever reason, will not repay the debt unless their property is sold.

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

1. Increased revenue via penalty interest for ratepayers who do not repay their rates liability within a twelve-month period under the direct debit system.
2. Potentially a better cash flow as a result of more efficient rates payments if non penalty interest is to be avoided.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

1. That Council instruct Officers to write to all affected ratepayers currently on direct debits informing them that:
 - a. The current parameter of not attracting penalty interest will continue to apply to ratepayers who are ensuring that their rates liability is paid within the current financial year only; and
 - b. For rate payers who have direct debit authorities already in place, but will not meet the criteria of Point One above, a 12-month extension be applied to allow them to repay their rates liability and continue to receive the non-penalty interest application that is currently in place.
2. For all new direct debit applications, and all ratepayers overall as at 1/7/2021, the principle surrounding no penalty interest being applied will be that the rates accounts are paid in full by June 30 of the current financial year.

19113 MELLEMA/BUCKLAND

1. ***That Council instruct Officers to write to all affected ratepayers currently on direct debits informing them that:***
 - a. The current parameter of not attracting penalty interest will continue to apply to ratepayers who are ensuring that their rates liability is paid within the current financial year only; and***
 - b. For rate payers who have direct debit authorities already in place, but will not meet the criteria of Point One above, a 12-month extension be applied to allow them to repay their rates liability and continue to receive the non-penalty interest application that is currently in place.***
2. ***For all new direct debit applications, and all ratepayers overall as at 1/7/2021, the principle surrounding no penalty interest being applied will be that the rates accounts are paid in full by June 30 of the current financial year.***

CARRIED (8/0)

**Shire of Nannup
Ordinary Council Meeting Minutes: 22 August 2019**

AGENDA NUMBER:	12.5
SUBJECT:	Budget Monitoring – June 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	15 August 2019
ATTACHMENTS:	12.5.1 – Financial Statements for the period ending 30 June 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 12.5.1.

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

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

COMMENT:

Please refer to the attachment, Financial Statements for period ending 30 June 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 June 2019 be received.

19114 MELLEMA/STEVENSON

Monthly Financial Statements for the period ending 30 June 2019 be received.

CARRIED (8/0)

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

13.1 OFFICERS

19115 STEVENSON/LONGMORE

That Council allow the late item to be considered.

CARRIED (8/0)

19116 MELLEMA/STEVENSON

That standing orders be suspended.

CARRIED (8/0)

AGENDA NUMBER:	13.1
SUBJECT:	2019 Council Elections – Shire of Nannup Code of Conduct
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor – Chief Executive Officer
FILE REFERENCE:	ADM2
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	21 August 2019
ATTACHMENTS:	13.1.1 – Shire of Nannup Electoral Code of Conduct

BACKGROUND:

In accordance with Section 4.27(1)(d) of the *Local Government Act 1995* and Section 8 of the *Local Government (Elections) Regulations 1997*, the Returning Officer for any election is to prepare or adopt an electoral code of Conduct for the election that aims to ensure that all electoral officers act:-

- (a) lawfully; and
- (b) professionally; and
- (c) fairly and Impartially; and
- (d) with honesty and integrity; and
- (e) without any conflict of interest, in relation to the election.

COMMENT:

Once the Electoral Code of Conduct is adopted, the Returning Officer is to provide a copy of the Code to each Electoral Officer and the Officer is to observe and comply with the Code throughout the conduct of the Election process.

The Code has been prepared and is provided as an attachment to this Agenda document.

STATUTORY ENVIRONMENT:

Section 4.27(1)(d) of the *Local Government Act 1995* and Section 8 of the *Local Government (Elections) Regulations 1997*.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council adopts the Shire of Nannup Electoral Code of Conduct as prepared by the CEO in his capacity as Returning Officer for the Shire of Nannup's 2019 Local Government Elections to be held on Saturday, 19 October 2019.

19117 MELLEMA/STEVENSON

That standing orders be resumed.

CARRIED (8/0)

19118 STEVENSON/MELLEMA

That Council adopts the Shire of Nannup Electoral Code of Conduct as prepared by the CEO in his capacity as Returning Officer for the Shire of Nannup's 2019 Local Government Elections to be held on Saturday, 19 October 2019.

CARRIED (8/0)

13.2 ELECTED MEMBERS

Nil.

14. MEETING CLOSED TO THE PUBLIC
(Confidential Items)

Nil.

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

Nil.

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

Nil.

17. CLOSURE OF MEETING

The Shire President declared the meeting closed at 5.17 pm.