



Shire of
Nannup
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Agenda

Council Meeting to be held Tuesday 23 January 2020

Commencing at 4.30pm

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Agenda

1. DECLARATION OF OPENING / ACKNOWLEDGMENT OF COUNTRY / ANNOUNCEMENT OF VISITORS

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

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

7. DECLARATIONS OF INTEREST

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

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

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 November 2019 Ordinary Council Meeting

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 28 November 2019 be confirmed as a true and correct record.

8.2 December 2019 Special Council Meeting

That the Minutes of the Special Council Meeting of the Shire of Nannup held in Council Chambers on 18 December 2019 be confirmed as a true and correct record.

9. MINUTES OF COUNCIL COMMITTEES

9.1 Local Drug Action Group Committee

That the Minutes of the Shire of Nannup Local Drug Action Group Committee meeting held 4 December 2019 be received.

9.2 Audit Advisory Committee

That the Minutes of the Shire of Nannup Audit Advisory Committee meeting held 18 December 2019 be received.

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

12. REPORTS OF OFFICERS

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

13.1 OFFICERS

13.2 ELECTED MEMBERS

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

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

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

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

17. CLOSURE OF MEETING

CEO DEPARTMENT

AGENDA NUMBER:	12.1
SUBJECT:	Delegated Planning Decisions for November & December 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:	7 January 2020
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 November & December 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 November & December 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 November & December 2019 compared to November & December 2018:

	November & December 2018	November & December 2019
Delegated Decisions	5 (\$72,000)	6 (\$129,500)
Council Decisions	1 (\$14,000)	0
Total	6 (\$86,000)	6 (\$129,500)

100% of all approvals issued in the months of November & December 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 November & December 2019 as per Attachment 12.1.1.

VOTING REQUIREMENTS:

Simple Majority.

AGENDA NUMBER:	12.2
SUBJECT:	Draft Local Planning Policy No. 3 – Sea Containers: Submitted for consent to publicly advertise
LOCATION/ADDRESS:	Applies throughout the district
NAME OF APPLICANT:	
FILE REFERENCE:	ADM9
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:	10 January 2020
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.2.1 - Draft Local Planning Policy No. 3 Sea Containers 12.2.2 - Extract from <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>

BACKGROUND:

The purpose of this report is to seek Council support to publicly advertise a draft planning policy relating to sea containers.

The Shire does not have a Local Planning Policy on sea containers. The local government has recognised the need to develop a sea containers policy to provide increased guidance to the Council, the Shire administration, landowners and applicants and assist in more consistent decision making from the local government. The draft policy, outlined in Attachment 12.2.1, is intended to generate community discussion and, in time, provide clearer guidelines for assessing Development Applications.

The lack of a sea containers policy means there is limited guidance for the community or applicants as to what uses of sea containers are supported or not supported. There is also an associated lack of guidance for the local government in determining Development Applications. Currently, there are some generic clauses in the *Shire of Nannup Local Planning Scheme No. 3* relating to matters such as amenity.

Various sea containers will not require development approval or a Building Permit such as if they are short term or are associated with construction of a dwelling or other approved development.

Based on the experiences in other local government authorities, sea containers that are inappropriately located, adapted or used can create issues including:

- adverse impacts on the visual character of streets and neighbourhoods;
- when sea containers are sited in visually prominent locations, there is greater potential for adverse impacts on the landscape;
- sea containers are usually bland metal clad structures devoid of architectural features such as windows, verandahs, etc.; and
- the use of sea containers for illegal commercial or industrial use may result in adverse noise, traffic and visual impacts for neighbours and the locality.

Attachment 12.2.2 provides an extract from the *Planning and Development (Local Planning Schemes) Regulations 2015*. The 'deemed provisions' in the Regulations replace relevant clauses in Local Planning Schemes. The Regulations require draft local planning policies to be publicly advertised for at least 21 days.

COMMENT:

The draft local planning policy (Attachment 12.2.1) seeks to balance the provision of legitimate and appropriate sea containers, while minimising the adverse impacts of sea containers on the amenity of a locality. It is recognised that households and businesses have varying needs for storage and associated uses. Inappropriately located and/or adapted sea containers can however create amenity and other impacts.

As outlined in Attachment 1, the objectives of the draft policy are:

1. Regulate the use of sea containers within the Shire of Nannup so as to ensure that they do not detract from the amenity of the area.
2. Allow for temporary controlled use of sea containers for storage and during building construction.
3. Outline Council's development standards in regard to the location and use of sea containers within the municipality.
4. Provide increased certainty for landowners, the community and others and to assist in providing greater consistency in decision making by the local government.

The draft Policy sets out that no development approval or Building Permit are required, subject to conditions:

- for temporary storage of one (1) sea container on a lot in all zones for up to three (3) months;
- for multiple sea containers, on lots zoned Industry, Agriculture, Agriculture Priority 1 and Agriculture Priority 2 zones, for up to 3 months; and
- to store building materials while construction of an approved dwelling, approved commercial building, or other approved building is being carried out on the property, in all zones.

A Development Application is required for permanent sea containers for storage purposes and for sea containers used for habitation purposes (permanent or temporary).

The number of permanent sea container/s per property is at the discretion of the local government.

The draft policy is considered appropriate to be publicly advertised for community and stakeholder comment. If Council agrees, submissions will be invited using various methods. Public advertising of the draft policy will assist to draw out comment from the community and stakeholders. It is proposed to consult widely for a six-week period by the Shire administration writing to and inviting comments from a wide range of stakeholders and government agencies, placing public notices and details in local papers on multiple occasions, placing details on the Shire of Nannup website, on the Shire's Facebook page and information being available at the Shire office.

The goal of the draft policy is to encourage community and stakeholder debate and to seek the receipt of submissions. Following the close of the consultation period, the Council and the Shire administration will consider the submissions and determine whether the draft policy is suitable for final adoption or whether it should be modified. Alternatively, the Council may determine to not proceed with the policy.

The objective is to finalise a policy which will assist in increasing certainty for everyone with an interest in this issue and which will provide increased guidance to Council and the Shire administration in assessing Development Applications.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Nannup Local Planning Scheme No. 3. The Regulations require local planning policies to be advertised for at least 21 days.

POLICY IMPLICATIONS:

Local planning policies are non-statutory documents which provide guidance to assist the local government in its decision making. Accordingly, the local government is not bound by the policy but is required to have regard to the policy in determining Development Applications.

Subject to Council's resolution, the Shire administration will publicly advertise the draft policy to the community and stakeholders.

FINANCIAL IMPLICATIONS:

There are costs to the Shire in advertising the draft policy.

STRATEGIC IMPLICATIONS:

The policy, if adopted, will assist the decision-making of the local government, inform applicants/landowners of Council requirements and raise community and stakeholder awareness.

A finalised sea containers policy is expected to have minimal economic impacts given various sea containers do not require development approval or a Building Permit. Further, the draft policy seeks to balance household and business requirements subject to suitably addressing amenity and associated considerations.

RECOMMENDATION:

That Council:

1. Support the public release of draft *Local Planning Policy 3 - Sea Containers* outlined in Attachment 12.2.1 and require the draft policy to be publicly advertised in accordance with the requirements set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* with an increased advertising period of six weeks.
2. Reconsider draft *Local Planning Policy 3 - Sea Containers* following the close of the public submission period and determine whether or not to adopt the policy with or without modification, or to not proceed with the policy.

VOTING REQUIREMENTS:

Simple Majority.

ECONOMIC & COMMUNITY DEVELOPMENT SERVICES

AGENDA NUMBER:	12.3
SUBJECT:	Accept the Community Storage Shed fee structure not change
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ASS 5
AUTHOR:	Nicole Botica – Economic & Community Development Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	17 January 2020
ATTACHMENT:	12.3.1 - Community Shed MOU 12.3.2 - Community Shed – Equipment Hire Form

BACKGROUND:

The Community Storage Sheds are located on Kearney Street on the Depot Site and the Memorandum of Understanding has been in place from 1 July 2014 to 30 June 2019. The facility is owned by the Shire of Nannup and the tenants include the Youth Advisory Council, Nannup Music Club, Nannup Garden Village and the Nannup Arts Council. There is a shed allocated for the Community Bus as well as a shed space housing hire equipment available to the broader community.

The annual contribution noted in the Memorandum of Understanding is \$200 plus GST to cover the maintenance, building insurance, ant and annual termite inspections, baiting program for vermin, power, cleaning gutters and repairing/replacing keys and locks. The Community Bus, Community Hire Storage and YAC shed are exempt from fees.

In April 2019 it was noted in the Community Shed Meeting minutes that council had agreed to increase the fees and charges in the 2018/2019 budget to \$500 per year and a new Memorandum of Understanding be developed to reciprocate this. The group has identified that these charges are not viable.

Council has provided a breakdown of costs attributed to Community Sheds for 2018/19 as:

- Maintenance \$1,000

- Depreciation \$3,285
- Utilities \$ 880
- Insurance \$1,276
- Total \$6,441

The group discussed that the increase in fees were too high, given the actual costs incurred. It was raised that Council currently uses the marquees and other equipment for the Shire run events free of charge. The decision from the Community Storage Shed committee is if the fees are increased to \$500 per group, which is beyond the means of each community group, then Council will be charged hire of equipment for their events. The committee agreed that they could afford an increase of \$100 to come to an annual fee of \$300. This same point was raised at the meeting in October 2019.

The original \$500 took into account the above costs. It is noted that the community sheds are on the disposable asset list. There is a question around the inclusion of depreciation being relevant. The Utilities breakdown is disputed, as users only have minimal electricity use age when accessing the sheds, this is not a regular occurrence.

COMMENT:

As the equipment in the Community Storage Shed is an asset in enabling activation of community events in Nannup, offering affordable hire options for the broader community, Council agree to only increase the fee charges for the occupants by \$100 each.

The cost to Council, in the hiring of the equipment for Shire run events such as Family Fun Day and Australia Day will be over and above the excess of funds raised through the tenancy increase.

For example, the Hire of the Stretch tent from the community shed at a commercial rate is \$400 per event. The cost of the other equipment for the two events would be over and above funds recouped from the increased fees (please refer to the Equipment Hire Form).

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Our current budget originally included a charge of \$500 per group, we are suggesting the charges only increase by \$100, this will impact the budget by \$200 per group. The total cost is an \$800 loss to budget.

If council were to increase the fees to \$500, for example the extra hire cost could be an amount in excess of \$1200 for the Family Fun Day and an amount in excess of \$900 for Australia Day.

STRATEGIC IMPLICATIONS:

Our Community Leadership; we listen to our community leaders

- To listen and partner with our community leaders and all our diverse groups
- To have united community groups working together

RECOMMENDATIONS:

1. That Council agree to impose a \$300 charge per shed, an increase in the hire fee for the Shed tenancy by only \$100.
2. That Council approve the Chief Executive Officer to negotiate amendments to the expired Memorandum of Understanding.
3. That Council approve the Chief Executive Officer, in liaison with the Shire President, to enter in to the newly negotiated Memorandum of Understanding for a period of up to 5 years.

VOTING REQUIREMENTS:

Simple Majority.

FINANCE & ADMINISTRATION

AGENDA NUMBER:	12.4
SUBJECT:	Establishment of a Youth Advisory Reserve Account
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 2
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	6 January 2020
ATTACHMENTS:	Nil

BACKGROUND:

Section 6.2(4)(e) of the Local Government Act 1995 (The Act) stipulates that a Local Government is to include within its Annual Budget:

details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;

Further, Section 6.11 stipulates that a Local Government is to:

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.*

COMMENT:

Within the 2018/19 financial year, a new Reserve was established to support Youth Activities. This reserve has been financed by funds already amassed through youth projects that was currently included within the Municipal fund. It was decided that in order to achieve greater transparency these funds would be segregated into a separate reserve account so that the funds would not be possibly include within general revenue at some point in time. The establishment of the reserve account was a topic of discussion included within Budget workshops completed in the lead up to the adoption of the annual budget however actual detail of this reserve were not included within the Annual Budget adoption.

Therefore, in order to ensure that the above sections of The Act are complied with it is required that Council endorses these actions post the Reserve account being established.

STATUTORY ENVIRONMENT:

Sections 6.2(4)(e) and 6.11 of the Local Government Act 1995

POLICY IMPLICATIONS:

Nil.

SUSTAINABLE IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil – funds are already held within this Reserve account. Funds were established through fund raising opportunities by the Youth Advisory Group over many years and required no financial input from Council.

SOCIAL IMPLICATIONS:

Establishment of a reserve for future youth projects should be seen as a positive social impact from community.

ENVIRONMENTAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Our Youth

Our youth are important and we will focus our energy to give them reasons to stay in Nannup (or come back)

RECOMMENDATION:

That Council; acknowledges that a new Reserve for Youth Activities has been established.

VOTING REQUIREMENTS:

Absolute Majority.

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AGENDA NUMBER:	12.5
SUBJECT:	Budget Monitoring – November 2019
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 15
AUTHOR:	Susan Fitchat – Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	14 January 2020
ATTACHMENT:	12.5.1 – Financial Statements for the period ending 30 November 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 periods ending 30 November 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 2019/20.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

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

VOTING REQUIREMENTS:

Simple Majority.

AGENDA NUMBER:	12.6
SUBJECT:	Monthly Accounts for Payment - November 2019
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 8
AUTHOR:	Susan Fitchat - Corporate Services Coordinator
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT	10 January 2020
ATTACHMENT:	12.6.1 – Accounts for Payment – November 2019

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 November 2019 to 30 November 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 two corporate credit cards 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	12080 - 12151	174,270.62
Accounts paid by cheque	20424 – 20429	2,361.40
Accounts paid by Direct Debit	DD10637.1 – DD10641.8	52,225.71
<i>Sub Total Municipal Account</i>		<u>\$228,857.73</u>

Trust Account

Accounts paid by EFT	0.00
Transfer to Muni Admin fees	8.25
Accounts Paid by cheque	0.00
<i>Sub Total Trust Account</i>	<u>8.25</u>

Total Payments

\$228,865.98

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 \$228,865.98 1 November 2019 to 30 November 2019 in the attached schedule(s) be endorsed.

VOTING REQUIREMENTS:

Simple Majority.

ENGINEERING & WORKS

AGENDA NUMBER:	12.7
SUBJECT:	Nannup Waste Disposal Site Operation and Plant Purchase
LOCATION/ADDRESS:	Beggars Road Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	HLT 8
AUTHOR:	Jonathan Jones – Manager Infrastructure
REPORTING OFFICER:	Jonathan Jones – Manager Infrastructure
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	13 January 2020
ATTACHMENT:	12.7.1 - DRAFT Waste Disposal Facility Operation October 2018 to September 2019 - Study

BACKGROUND:

In September 2018 Council determined that it would be in the best interests of the shire to operate and maintain the Nannup Waste Disposal Facility itself allowing the shire to utilise funds to support its own staff and plant, gain insight into the operation of the facility and directly gather waste stream data.

The Works Department took over operation of the facility in October 2018 and has been operating the facility since then.

The officer was able to gather information in respect to waste stream data and the operation of the site allowing the completion of a study document which was presented to Council for consideration in November 2019.

The study outlined the past year's operation of the site, types and quantity of waste brought to site, materials separated and recycled, the quantity of fill required for burial of waste to landfill and operational advantages and disadvantages.

The objective of this study was to alert Council to the existing situation, issues and potential costs surrounding the continued operation of the Nannup Waste Disposal Site and to offer guidance in the decision making process that would allow the continued operation of the site into the foreseeable future.

Council was asked to review and discuss the Shire of Nannup "Draft Waste Disposal Facility Operation October 2018 to September 2019 Study" and invited to provide feedback to the officer.

COMMENT:

Within the study document six options were outlined discussing the advantages, disadvantages and potential costs for each option.

1. Maintain the Status Quo and operate on existing footprint with no compaction.
Although the cheapest option initially, this will substantially increase in cost due to the eventual requirement to pay for and transport the full requirement of fill with no option for compaction.
2. Maintain the Status Quo and Introduce Onsite Waste Compaction by contract.
Subjects the shire to Contractor and Contract Plant availability and potential hire rate increases.
3. Clear the adjacent bushland within the Waste Reserve to gain extra fill and therefore disposal space.
Requires several strict and potentially expensive compliance changes and requires the site be licensed. We may not be successful with our application? We would be required to construct costly lined waste cells (Cost unknown at this time) and water quality testing would be required with the risk of noncompliance in respect to water movement out of the site. To enable effective use of the cell space and use of resulting fill it would still be necessary to purchase plant with landfill compaction capability.
4. Transfer Waste off the Site via Compaction Truck.
Most expensive option to implement, service and operate though there would be huge environmental gains and future proofing.
5. Maintain Status Quo with the Introduction of Shire owned machine with compaction capability.
Probably the most cost effective and advantageous option as the site still has plenty of airspace and the shire can continue to utilise its own staff and would continue to fully control maintenance of the site. Purchase of a suitable machine with compaction capability will reduce the requirement for earth fill by as much as 50%. A suitable Tracksavator type machine can be utilised for other aspects of shire works such as firebreak maintenance and gravel extraction. This option would not be subject to the whims of contractors and the site will remain DWER compliant.
The cost to purchase a suitable machine is \$353,850 excluding GST.
The per annum Waste Disposal Site operating costs will be an estimated \$198,000.

6. Operate Waste Site Wholly as a Contract

A proper cost analysis has not been carried out but conversation with suitable contractors has indicated an estimated \$200,000 per annum minimum with 25% of the cost largely due to the requirement to provide fill to site.

Feedback from Council indicated to the officer that Option 5 or 6 would probably be the preferred option.

Option 5. would continue to allow the shire to operate the site utilising its own staff and resources and maintain direct control over operations at the site.

The adoption of Option 5 would require the purchase of suitable plant such as a Trackscavator to allow burial of waste to landfill with compaction. The quoted cost to purchase this machine is \$353,850 excluding GST. Council has allowed sufficient funds within the 2019/2020 Financial Year budget for the outright purchase of this plant.

Option 6. A Contracted Operation of the site would continue to allow the compliant operation of the site at a fixed cost under contract. Disadvantages of operating the site under contract would be the loss of funds to contract as against supporting our own staff and plant, loss of full operating control on site and possibly subject to the whims of the contractor. As outlined above indications are that this cost could be in the region of \$200,000 per annum. If Council determined this as the preferred option suitable contract terms would need to be determined and the contract advertised as a Tender.

STATUTORY ENVIRONMENT:

- Nannup Waste Disposal Site - Department Environment Regulation (DWER) Registration R1594/2004/1
- Environmental Protection Act 1986
- Environmental Protection Act 1986 Compliance and Regulation
- Environmental Protection Regulations 1987
- Environmental Protection (Rural Landfill) Regulation 2002
- Landfill Waste Classification and Waste Definitions 1996
- Environmental Protection (Controlled Waste) Regulations 2004
- Ozone Protection and Synthetic Greenhouse Gas Management Act 1989
- Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995
- Health (Asbestos) Regulations 1992
- Waste Avoidance and Resource Recovery Act 2007
- Local Government Act 1995

POLICY IMPLICATIONS:

ADM 4 Purchasing.

FINANCIAL IMPLICATIONS:

Option 5 The quoted cost to purchase a suitable machine is \$353,850 (excluding GST).

The per annum Waste Disposal Site operating costs will be an estimated \$198,000.

Option 6 Contract operation of the waste disposal site is indicated to be in the region of \$200,000 per annum.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

That Council:

1. Adopts Option 5: Maintain Status Quo with the Introduction of Shire owned machine with compaction capability (Trackscavator) and utilises its own staff and resources and maintain direct control over operations at the waste disposal site.
2. That the purchase of a suitable Trackscavator be completed through the utilisation of a loan from the Western Australian Treasury Corporation as incorporated and adopted in the 2019/2020 Annual Budget.

VOTING REQUIREMENTS:

Simple Majority.

AGENDA NUMBER:	12.8
SUBJECT:	Fees and Charges Amendment - Hire of Temporary Fencing
LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 30
AUTHOR:	Jonathan Jones – Manager Infrastructure
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	16 January 2020
ATTACHMENT:	12.8.1 - Fees and Charges 2019/20 12.8.2 – Community Sheds MOU

BACKGROUND:

Stored at the Shire Kearney Street Depot and available for hire as per the Councils Fees and Charges are 157 panels or an estimated 300 metres of Temporary Fencing with supporting feet.

Hire of the fencing is based on a linear metre per week basis with a bond that is returned once the panels are brought back in good order.

Current hire costs as below:

Bond Per Hire \$525.00 including GST

For Other Local Governments for Extended Periods Only Per Metre/Week \$20.00 including GST

Erected & Dismantled within Nannup Town site Per Metre/Week \$20.00 including GST.

The current hire rate was calculated based on past shire labour rates and time taken to install and dismantle.

Feedback from those who have enquired about hiring our fencing have advised it is cheaper to hire this type of fencing from other hire businesses. This occurred last year for the Music Festival where the Organisers chose to source the required fencing through another supplier.

In addition, minutes of the Community Sheds Meeting Group held 9th April 2019 discuss the hire of the fencing and state *“given that the fencing was purchased in part with community group funds it was felt that hire should be complimentary to stakeholder groups on the proviso that the fencing is picked up, installed, dismantled and returned to the depot in good condition by the community group”*. As an Action the minute’s record *“Community Sheds Group to discuss temporary fencing hire when negotiating the MOU (MOU between the Shire of Nannup and User Groups of the Nannup Community Sheds) with Council”*.

Other than the enquiry from the Music Festival Organisers no other Community Group or entity has hired the fencing for at least two years.

Enquiries with a private Temporary Fencing Hirer have determined a rate of \$14.66 per metre inclusive of GST. Each fencing panel is 2.4 metres in length. The fencing hire rate includes transport to and from site, erection and takedown with no bond required to be paid.

COMMENT:

Due to the current lack of interest by the public in hiring our Temporary Fencing, officers suggest that Council revisit the hire terms, cost to hire and bond imposed with the view to dry hiring the fencing and reducing the hire and bond charge therefore making the hire of the fencing more attractive.

It is suggested that the person/s or group hiring pick up, transport, install and dismantle the fencing themselves and propose a reduced rate of \$5.50 including GST (\$2.29 per metre) be charged per panel with a bond of \$250.00 applying regardless of the number of panels hired and that terms of hire is only to those persons, groups or organisations within the boundaries of the Shire of Nannup and for use within the Shire of Nannup.

The Local Government Act 1995 Part 6 Division 5 Subdivision 2 allows Local government to give notice of fees and charges, stating

“If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of — “

(a) Its intention to do so; and

(b) The date from which it is proposed the fees or charges will be imposed

STATUTORY ENVIRONMENT:

Local Government Act 1995

Part 6 Division 5 Subdivision 2

6.16 Imposition of fees and charges (3)

6.17 Setting level of fees and charges

6.19 Local government to give notice of fees and charges (a) & (b)

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Financial Year Fees and Charges 2019 2020 and 2020 2021

STRATEGIC IMPLICATIONS:

5.1 Listen – Support existing and emerging community groups

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RECOMMENDATION:

That Council:

1. Allow dry hire of the Temporary Fencing to person/s groups or organisation/s only within the boundaries of the Shire of Nannup with those person/s groups or organisations picking up, transporting, installing and dismantling the fencing themselves.
2. Allow hire of the Shires Temporary Fencing at a reduced rate of \$5.50 per panel inclusive of GST (\$2.29 per metre) with a bond of \$250.00 and subject to the Local Government Act 1995 this fee to become effective immediately.

VOTING REQUIREMENTS:

Absolute Majority.

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**13.1 OFFICERS****13.2 ELECTED MEMBERS****14. MEETING CLOSED TO THE PUBLIC
(Confidential Items)****14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED****14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC****15. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN****17. CLOSURE OF MEETING**



Attachments

Item	Attach	Title
8.1		Ordinary Meeting of Council Minutes – 28 November 2019
8.2		Special Meeting of Council Minutes – 18 December 2019
9.1		Local Drug Action Group Committee Minutes – 4 December 2019
9.2		Audit Advisory Committee Minutes – 18 December 2019
12.1	1	Register of Delegated Development Approvals
12.2	1	Draft Local Planning Policy No. 3 Sea Containers
	2	Extract from <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
12.3	1	Community Shed Memorandum of Understanding
	2	Community Shed – Equipment Hire Form
12.5	1	Financial Statements for the period ending 30 November 2019
12.6	1	Accounts for Payment – November 2019
12.7	1	Draft Waste Disposal Facility Operation October 2018 to September 2019 - Study
12.8	1	Fees and Charges 2019/20
	2	Community Sheds MOU