



Shire of
Nannup
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Minutes

Public Copy

Council Meeting held Thursday 24 September 2015

Unconfirmed

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 16:15 hours

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

ATTENDANCE:

Shire President: Cr A Dean

Deputy Shire President: Cr R Mellema

Councillors: C Gilbert, B Longmore, J Lorkiewicz, A Slater and C Stevenson

APOLOGIES: Cr N Steer

GALLERY: Rita Stallard, Patricia Fraser, Len Gilchrist, Val Gazzola, Cheryl Brown, Grant Dagleish and David Prater

LEAVE OF ABSENCE: Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.

Nil

4. PUBLIC QUESTION TIME:

Public question time commenced at 16.16 hours

Patricia Fraser

Q1: In respect to Lot 66 Nannup, the laneway behind the Danjangerup Cottages, cannot Council find the \$10,000 to purchase the land in the current Budget as Council has been able to find sufficient funds to recruit a CEO which would be of a similar amount?

CEO responded

A1: Council advised the Roman Catholic Bishop that it had not budgeted for the purchase of the land in the 2015/2016 financial year and requested that the Church considers Council's interest for possible inclusion of such funds in the 2016/2017 financial year. Council also requested that the Church considers Council's previous request for the laneway to be gifted to the Shire of Nannup. In respect to the CEO recruitment, funds required will not be anywhere near previous costs as Council was conducting the recruitment process in-house and not engaging a Consultant Recruiting firm.

Rita Stallard

Q1: I noticed new signage at the entrances to the Nannup town site indicating "RV Vehicles Welcomed in Nannup", could Council explain the reasons for these signs being erected?

Shire President responded

A1: The signs were provided free of charge to Council to welcome, promote and encourage RV Vehicles (motorhomes) to visit the town and considering that there is a "dump site" located near the Arboretum specifically for their use, it was considered that the erection of the signage was another way to entice visitors to the town.

Q2: The large Red Gum near the new building at the Recreation centre has been removed, could you explain why as there seems to be too many trees removed in that area?

Shire President responded

A2: The tree in question was removed to make way for parking at the new facility and provide space for the Reflective Garden.

Q3: The "Donkey Boiler" has been removed from the Recreation Centre and I enquire where has it been removed too, and what is its fate?

Manager for Infrastructure responded

A3: The Boiler is currently located at the Shire Depot and will remain so until the community is consulted on its future location.

Len Gilchrist

Q1: Is it true that the Nannup Timber Mill's rates are in excess of \$53,000 and because of this excessive amount, employees at the Mill are likely to lose their jobs?

Shire President and CEO responded:

A1: The Shire President indicated that the issue relating to rates is a private matter between Council and the landholder. The CEO advised that he had met with representatives from the Mill to discuss their 2015/2016 Rates Notice and such discussions were considered to be confidential between both parties.

Val Gazzola

Q1: There is no signage on Warren Road directing the public to the toilets behind the Shire Offices and therefore could appropriate directional signage be erected?

The Manager for Infrastructure responded

A1: Acknowledged the lack of signage and will order signage to be erected.

Public question time finished at 16.21 hours.

5. APPLICATIONS FOR LEAVE OF ABSENCE.

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS.

The Shire President advised that Mr David Prater representing Sellsmart Online, and Mr Grant Dalgleish representing Verge Earthmoving, were in attendance at their request, to make a presentation relating to the Tenders for the Waste Management Facility, both of whom had submitted Tenders for the Contract.

Both Mr Prater and Mr Dalgleish made comprehensive presentations to Council on the Tender processes, alleged Rural Landfill Regulation breaches and future management of the site.

The Shire President thanked both gentlemen for their presentations and advised that Council would be considering the Tenders later in the meeting.

7. DECLARATIONS OF INTEREST.

Cr Gilbert declared an Impartiality Interest in Item 12.1 relating to the Lease of the Function Room at the Nannup Recreation Centre as he was a member of the Nannup Sport and Recreation Association.

The CEO declared an Impartiality Interest in Item 12.1 relating to the Lease of the Function Room at the Nannup Recreation Centre as he was a member of the Nannup Sport and Recreation Association.

The Shire President declared an Impartiality Interest in Item 12.1 relating to the Lease of the Function Room at the Nannup Recreation Centre as he was a member of the Nannup Sport and Recreation Association.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9261 LONGMORE/GILBERT

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 27 August 2015 be confirmed as a true and correct record.

CARRIED 7/0

9. MINUTES OF COUNCIL COMMITTEES

WALGA South West Zone

9262 SLATER/STEVENSON

That Council receive the Minutes of the WALGA South West Zone meeting held 28 August 2015.

CARRIED 7/0

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION
Nil

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

Cr Mellema advised that he had attended a meeting of the Bush Fires Advisory Committee

Cr Gilbert advised that he had attended a Trails Meeting which entailed discussions on the loop link of the Bibbulmun Track and Bridle Trails.

Cr Longmore advised that he had attended the following meetings:-

- South West Local Government Emergency Management Alliance annual conference.
- South West Development Commission Grant Launch
- Local Emergency Management Committee Tabletop Flood Exercise
- Risk Management Gold Award Presentation.
- Warren Blackwood Alliance of Councils Sub Regional Tourism Association proposal.

The Shire President advised that he had attended the following meetings:

- Together with the CEO had attended a WALGA SW Zone Meeting in Margaret River
- Together with Cr Longmore and the CEO, attended the Local Emergency Management Committee Tabletop Flood Exercise
- Together with the Cr Longmore and the Economic and Community Development Officer, attended the Warren Blackwood Alliance of Councils Sub Regional Tourism Association proposal in Manjimup.

12. REPORTS OF OFFICERS

Cr Gilbert declared an Impartiality Interest in the following Item relating to the Lease of the Function Room at the Nannup Recreation Centre as he was a member of the Nannup Sport and Recreation Association.

The CEO declared an Impartiality Interest in the following Item relating to the Lease of the Function Room at the Nannup Recreation Centre as he was a member of the Nannup Sport and Recreation Association.

The Shire President declared an Impartiality Interest in the following Item relating to the Lease of the Function Room at the Nannup Recreation Centre as he was a member of the Nannup Sport and Recreation Association.

AGENDA NUMBER:	12.1
SUBJECT:	Lease of Function Room at Nannup Recreation Facilities
LOCATION/ADDRESS:	Warren Road Nannup – Part Reserve 9185
NAME OF APPLICANT:	Nannup Sport and Recreation Association Inc.
FILE REFERENCE:	REC 5
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	11 September 2015
ATTACHMENT	12.1.1 – Current Lease Agreement for the Nannup Community Centre Building

BACKGROUND:

The President of the Nannup Sport and Recreation Association Inc., Mr Tony Dean, has written to Council on behalf of the Association's Committee requesting permission to transfer the current Lease of the Community Centre to the newly constructed Function Room situated at the same venue.

Mr Dean indicates that as the facility is untested, the Association requests that the terms and conditions be the same as the old facility, with a renewal period in 3 years. Mr Dean advises that this will allow the Committee to establish a plan of operation and have some idea as to the potential of the facility.

Mr Dean further advises that the Committee is in the process of transferring the Liquor Licence to take effect from 16th October 2015.

COMMENT:

The Lease Agreement between the Shire of Nannup and the Nannup Sport and Recreation Association for the existing building was as follows:-

- **Permitted Purpose** – For the operation of a Sportsman’s Club facility for club members including operation of a licenced bar and associated clubhouse facilities;
- **Term of Agreement** – 5 Years (1 July 2012 – 30 June 2017)
- **Annual Rent** - \$2,470.00 (\$47.50/week)

It is considered that a new Lease Agreement needs to be prepared, as opposed to a transfer of the Lease as requested by the Association, as the new facility is separated from the existing facility.

The Association seeks a Lease over the entire new facility and their Liquor Licence application also incorporates the same area.

The current annual rental of \$2,470.00 is minimal and is not considered substantial enough in light of the Association leasing a brand new facility however, taking into account that the Nannup Golf Club and the Nannup Sports and Recreation Association are contributing \$100,000.00 each to the construction of the new facility, it could be argued that these contributions warrant the current rental being retained for the initial 3 year Lease. Following this period a thorough review should be undertaken to determine a more realistic annual lease fee.

Section 3.58 of the *Local Government Act 1995* and Section 30 of the *Local Government (Functions and General) Regulations 1996* apply to the dispositions of property. Disposing of property includes leasing a property.

Normally it would be a requirement of Section 3.58 of the *Act* to give local public notice of the proposed disposition however, the *Local Government (Functions and General) Regulations 1996* provide for exemption from Section 3.58 as follows:-

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) (b) the land is disposed of to a body, whether incorporated or not —
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature;

STATUTORY ENVIRONMENT:

Section 3.58 of the *Local Government Act 1995* and Section 30 of the *Local Government (Functions and General) Regulations 1996* apply to the dispositions of property.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

Continuation of existing Lease fee.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Community Leadership – Strategy 5.1 Support existing and emerging community groups.

RECOMMENDATION:

1. That Council advises the Nannup Sports and Recreation Association Inc., that it is willing to enter into a new 3 year Lease Agreement to allow the Association to manage the newly constructed Function Room at the Nannup Recreation Centre and it be based on the existing Lease fee arrangements in recognition of the substantial monetary contributions made by the Nannup Golf Club and the Nannup Sports and Recreation Association towards the cost of the new building; and
2. The above approval is on the proviso that at the expiration of the 3 year Lease period, a thorough review of the operations of the Centre be undertaken with the view to imposing a more realistic annual lease fee for the premises.

VOTING REQUIREMENTS: Simple Majority

GILBERTIMELLEMA

1. ***That Council advises the Nannup Sports and Recreation Association Inc., that it is willing to enter into a new 3 year Lease Agreement to allow the Association to manage the newly constructed Function Room at the Nannup Recreation Centre and it be based on the existing Lease fee arrangements in recognition of the substantial monetary contributions made by the Nannup Golf Club and the Nannup Sports and Recreation Association towards the cost of the new building; and***
2. ***The above approval is on the proviso that at the expiration of the 3 year Lease period, a thorough review of the operations of the Centre be undertaken with the view to imposing a more realistic annual lease fee for the premises.***

AMENDMENT

9263 SLATER/LONGMORE

1. ***That Council advises the Nannup Sports and Recreation Association Inc., that it is willing to enter into a new 3 year Lease Agreement to allow the Association to manage the newly constructed Function Room at the Nannup Recreation Centre and it be based on the existing Lease fee arrangements in recognition of the substantial monetary contributions made by the Nannup Golf Club and the Nannup Sports and Recreation Association towards the cost of the new building; and***
2. ***The above approval is on the proviso that at the expiration of 12 months, a thorough review of the operations of the Centre be undertaken with the view to imposing a more realistic annual lease fee for the premises.***

CARRIED 4/3

Voting for the Amendment: Cr's Slater, Longmore, Lorkiewicz, and Stevenson.

Voting against the Amendment: Cr's Mellema, Dean and Gilbert.

**THE AMENDMENT BECAME THE MOTION
THE MOTION WAS THEN PUT AND
CARRIED 7/0**

REASON FOR ALTERATION TO RECOMMENDATION

Council considered that a 12 month period was adequate for the Nannup Sport and Recreation Association to determine the operations and financial capabilities of the new Centre and for Council to then determine a realistic annual Lease fee.

Cr Longmore left the Chamber at 17.15

AGENDA NUMBER:	12.2
SUBJECT:	Request for Financial Support
LOCATION/ADDRESS:	
NAME OF APPLICANT:	WA Performing Arts Eisteddfod (WAPAE)
FILE REFERENCE:	ASS5
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	11 September 2015

BACKGROUND:

Ms Myra Easton, President of WAPAE writes to seek the support of the Shire of Nannup to enable WAPAE to continue to run the annual Eisteddfod held at the Bunbury Regional Entertainment Centre in the month of June each year.

Ms Easton advises that entry numbers for the 2015 event included 2,800 entries which saw 7,200 individual performances go across the stage during the 21 days. The Eisteddfod is an iconic event for the South West region and its aims are to promote the love, appreciation and advancement of the performing arts in the community. It supports local communities, music teachers, dance schools, primary and secondary schools throughout the region and is the biggest Eisteddfod held in WA.

Ms Easton advises that WAPAE is a not-for-profit organisation and they have to constantly look for funding sources every year to keep the event happening for the region. Therefore, WAPAE seeks financial assistance from the Shire of Nannup through its Community Development Funds to a total of \$5,000 to enable WAPAE to continue to deliver the event for the residents of the Nannup Shire and the region.

Ms Easton advises that if WAPAE is unable to secure sufficient funds to continue the event, the Eisteddfod will be in danger of disappearing and that this would be tragic for the communities, families and participants and particularly so as WAPAE is working towards their 60th continuous year in 2017.

COMMENT:

The above request has been circulated to all 12 local governments within the South West Zone of WALGA.

It is unfortunate that WAPAE's request for funding comes after Council has set its 2015/2016 Budget and it is considered that the request for \$5,000 sponsorship cannot be met within the current Budget allocations.

Whilst local children do perform in the Eisteddfod, their association is through educational institutions and dance schools in Busselton and these numbers would be low in respect to overall numbers of children in the Nannup Shire. If Council was to contribute financially to the WAPAE, it is considered that it should be considerably less than the \$5,000 requested.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Council advises the WA Performing Arts Eisteddfod that as Council had adopted its 2015/2016 Budget prior to the request for financial support being received, no provision has been made for such a commitment to be made within the current Budget allocations.

VOTING REQUIREMENTS: Simple Majority

9264 STEVENSON/SLATER

That Council advises the WA Performing Arts Eisteddfod that as Council had adopted its 2015/2016 Budget prior to the request for financial support being received, no provision has been made for such a commitment to be made within the current Budget allocations.

CARRIED 6/0

Cr Longmore returned to the Chamber at 17.17.

AGENDA NUMBER:	12.3
SUBJECT:	Higgin's Swamp
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Blackwood Basin Group
FILE REFERENCE:	TPL 2 01
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	13 September 2015
ATTACHMENT:	12.3.1 – Higgin's Swamp Structure Plan Map

BACKGROUND:

Ms Felicity Willett, Program Manager for the Blackwood Basin Group (BBG) writes to Council to advise that over the last eight months, the BBG has received a number of phone calls and emails regarding the current state of, and future plans for, Higgin's Swamp located at Lot 701 Kearney Street, Lots 67 and 68 Warren Road and Lot 700 Higgins Street in Nannup.

Ms Willett advises that the BBG would ideally like to see, and be involved in, the rehabilitation of the swamp; as they believe there is community and Council support as well as strategic documentation to assist these actions. As the sub-regional NRM Group for the Blackwood Catchment, the BBG has a keen interest on protecting natural assets, particularly those with either a high conservation value or that are a high priority for the community.

Ms Willett indicates that from the information gathered, Higgin's Swamp currently provides habitat for waterbirds, such as black swans, that are reportedly nesting in the shallows. Given the swamp's highly visible location and proximity to urban areas, there seems to be a community desire to rehabilitate this area. The BBG has been provided the 'Higgin's Swamp Structure Plan' (Plan) that outlines recommendations for the precinct's development, approved by the Council of the Shire of Nannup.

Ms Willett advises that this Plan demarcates just over 3 hectares to be considered as a 'conservation' precinct, surrounded by a majority of low density residential as well as a tourism and a development site. On face value, this Plan provides large opportunity for facilitating community involvement in environmental activities, interaction with nature, and scope for eco-tourism activities for visitors to the region. The BBG would support action to rehabilitate Higgin's Swamp, and have been approached by community members to be the lead proponent in such a project, however there are a number of uncertainties about the site.

The BBG are unsure of:

- The ownership of the swamp;
- The hydrology of the site;
- Current management actions and planned future actions.

The BBG would encourage the Shire of Nannup to initiate actions to bring the Plan to fruition, and believe the Council would be best placed to lead this project. The BBG can support these actions by partnering with the Shire in state and federal grant applications to undertake invasive species control, site preparation and revegetation activities, as well as ecological surveying, community based monitoring and other related activities that may be eligible under certain grant programs.

There would need to be further site assessments and community consultation to be conducted prior to on-ground works in order to develop a detailed project plan.

In brief, the BBG encourages the Council to act on community interest to rehabilitate this area. The BBG can support this by partnering with the Council in grant applications to achieve environmental outcomes, however will need more in-depth site assessment information to plan this on-ground work appropriately and in alignment with community desires.

COMMENT:

In response to the above correspondence and the questions posed by the BBG's Program Manager, the CEO responded via email with the following:-

"I write to advise that Council is in receipt of your correspondence regarding Higgin's Swamp and before referring the matter to Council at its September 2015 Ordinary meeting I thought it appropriate to advise you of the questions that you posed in your letter.

Firstly, the swamp area is located within four (4) privately owned lots, being 67, 68, 700 and 701, bounded by Warren Road, Kearney, Higgins and North Streets. The Structure Plan that was presented to Council for endorsement in 2012 was prepared by a Planning Consultant for J & L Ogden, owners of lot 67, as a requirement to grant planning consent to the development of 4 residential properties. The Structure Plan considered that the swamp area could be developed as a "conservation precinct" however, as it is located on privately owned properties, it would be assumed that any development is the responsibility of the owner/s.

As far as I am aware, no hydrology assessments have been undertaken within the area and therefore, a thorough assessment would need to be undertaken. In respect to current management actions and planned future actions, nothing has progressed since the 2012 Structure Plan was presented to Council.

As indicated above, the Blackwood Basin Group's correspondence will be presented to Council at its 24 September Ordinary meeting and I will advise you of the outcomes of Council's deliberations. In the meantime, please consider the above comments and contact me should you require further information".

Ms Willett responded with the following email:-

"Many thanks for the clarification on the questions raised in my letter. It seems that there is little we can do apart from provide support and resources to the landholders to improve the environmental integrity of the wetland. In saying that, the BBG does run many projects with agricultural landholders, so there may be some scope to approach and gain a favourable outcome from these private landholders.

I look forward to hearing the outcomes of the Council's discussions about this matter, as I'm sure the Councillors would welcome a more amenable green space in the township particularly given the prior planning recommendations for this precinct.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Natural Environment – Strategy 4.2 Balance community, environment and economic development in our Shire.

RECOMMENDATION:

That Council endorses the CEO's response in relation to the Blackwood Basin Group's (BBG) proposal for the development of Higgin's Swamp and that Council reaffirms to the BBG that whilst it would welcome the development of the Swamp as a 'conservation' precinct, responsibility for such development ultimately lies with the landowners.

VOTING REQUIREMENTS: Simple Majority

9265 MELLEMAILONGMORE

That Council endorses the CEO's response in relation to the Blackwood Basin Group's (BBG) proposal for the development of Higgin's Swamp and that Council reaffirms to the BBG that whilst it would welcome the development of the Swamp as a 'conservation' precinct, responsibility for such development ultimately lies with the landowners.

CARRIED 7/0

AGENDA NUMBER:	12.4
SUBJECT:	2015 Local Government Elections
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Peter Clarke – Returning Officer
FILE REFERENCE:	ADM 2
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	13 September 2015

BACKGROUND:

Nominations for the 2015 Council Elections closed on Thursday, 10 September 2015 at 4.00pm with the following nominations being received:-

North Ward

1 Vacancy 4 year term

Robert Bruce **LONGMORE**
Vincent Ross **CORLETT**

South Ward

1 Vacancy 4 year term

Joan Anne **LORKIEWICZ**
Patricia Christine **FRASER**

Central Ward

2 Vacancies 4 year terms

Norman **STEER**
Anthony James **DEAN**

COMMENT:

Following the closure of nominations on Thursday, 10 September 2015 at 4.00pm, the CEO in his capacity as Returning Officer made the following declarations in respect the nominations received:-

North Ward

1 Vacancy 4 year term

Vincent Ross, **CORLETT**
Robert Bruce **LONGMORE**

In view of there being more nominations than the one vacancy required for North Ward, an election will be conducted on Saturday, 17 October 2015 to fill the above vacancy. A draw for positions on the Ballot Paper was conducted with the positions on the Ballot Paper indicated above

South Ward

1 Vacancy **4 year term**

Joan Anne **LORKIEWICZ**
Patricia Christine **FRASER**

In view of there being more nominations than the one vacancy required for South Ward, an election will be conducted on Saturday, 17 October 2015 to fill the above vacancy. A draw for positions on the Ballot Paper was conducted with the positions on the Ballot Paper indicated above.

Central Ward

2 Vacancies **4 year terms**

Norman **STEER**
Anthony James **DEAN**

In view of only two nominations being received for the two required vacancies for the Central Ward, Norman Steer and Anthony James Dean were duly elected unopposed to the positions of Councillor for the Central Ward for the ensuing 4 years with their terms expiring in October 2019.

STATUTORY ENVIRONMENT:

Local Government Act 1995 and Local Government (Elections) Regulations 1997

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

There will be financial implications associated with the conduct of an Election for the North and South Wards. Provision for such costs have been provided for in the 2015/2016 Budget

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Council Leadership
– Strategy 6.1 Lead, Listen, Advocate, Represent and Provide.

RECOMMENDATION:

That Council receives the report provided by the Returning Officer on the Nominations received and Election to be conducted on Saturday, 17 October 2015 for the North and South Wards.

VOTING REQUIREMENTS: Simple Majority

9266 MELLEMAILONGMORE

That Council receives the report provided by the Returning Officer on the Nominations received and Election to be conducted on Saturday, 17 October 2015 for the North and South Wards.

CARRIED 7/0

AGENDA NUMBER:	12.5
SUBJECT:	Proposed Special Meeting of Council - For the purpose of Swearing-in Newly Elected Councillors, Election of Shire President and Deputy Shire President and Appointment of Committees
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Peter Clarke – Returning Officer
FILE REFERENCE:	ADM 2
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	13 September 2015

BACKGROUND:

With the Local Government Elections being held on Saturday, 17 October 2015, it is good policy to undertake the Swearing-in of newly Elected Members, the election of the Shire President and Deputy Shire President and appointment of Councillors to various Committees at a Special Meeting of Council rather than these processes being carried out as part of the normal monthly meeting.

The scheduling of a Special Meeting allows Councillors families and friends to witness the process and then enjoy some fellowship following the meeting without the normal business of Council interfering in this important occasion.

COMMENT:

It is therefore proposed that Council schedules a Special Meeting on **Monday, 19 October 2015 commencing at 4.30pm** specifically for the purpose of swearing-in newly elected Councillors, election of the Shire President and Deputy Shire President position's and appointment of Councillors to various Committees etc.

The CEO, in consultation with the Shire President, has contacted Mr Ross Croft in his capacity as a Justice of the Peace inviting him to witness the Swearing-in process and Mr Croft has confirmed his availability.

STATUTORY ENVIRONMENT:

Sections 2.15, 2.29 and Schedule 2.3 Division 2 of the *Local Government Act 1995* relating to declarations of appointment and processes for the election of the Shire President and Deputy Shire President's positions.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Council Leadership
– Strategy 6.1 Lead, Listen, Advocate Represent and Provide.

RECOMMENDATION:

That Council schedules a Special Meeting to be held on Monday, 19 October commencing at 4.30pm in the Council Chambers for the purposes of swearing-in newly elected Councillors, election of the Shire President and Deputy Shire President position's and appointment of Councillors to various Committees etc.

VOTING REQUIREMENTS: Simple Majority

9267 SLATER/LORKIEWICZ

That Council schedules a Special Meeting to be held on Monday, 19 October commencing at 4.30pm in the Council Chambers for the purposes of swearing-in newly elected Councillors, election of the Shire President and Deputy Shire President position's and appointment of Councillors to various Committees etc.

CARRIED 7/0

AGENDA NUMBER:	12.6
SUBJECT:	Nannup Recreation and Community Precinct
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	REC 2A
AUTHOR:	Bret Howson – Consultant Project Manager
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT	16 September 2015
ATTACHMENT:	12.6.1 – Project Costing Schedule

BACKGROUND:

At the Ordinary meeting of Council in February 2015, the Council resolved to:

1. *Receive the February 2015 progress report for the Nannup Recreation Centre Project.*
2. *Request the Chief Executive Officer include a status report for the Nannup Recreation Centre Project in each Council Information Report.*
3. *Request the Chief Executive Officer provide a detailed agenda report for the Nannup Recreation Centre Project at the April 2015, June 2015 and September 2015 Ordinary Council meetings,*
4. *Give Authority for the Chief Executive Officer to agree to variations up to the limit of the variation budget of \$155,000*

This item is to provide the Council with a detailed project report as requested in item 3 of the above resolution of Council.

Further to the recent Council briefing (18th August 2015), this report is also to inform the Council of the likelihood of variations exceeding the limit of \$155,000, resolved in item 4 above.

COMMENT:

At the time of this report, the Nannup Recreation and Community Precinct has reached 75% of project completion.

The original contracted price for the construction of the new function room area of the recreation centre is \$2,193,016.10, being \$1,993,651.00 plus GST. This is listed below:

TRADE COMPONENTS	TOTAL (incl GST)
1 Preliminaries	\$ 236,931.10
2 Earthwork	\$ 60,000.00
3 Site Work	\$ 46,200.00
4 Concrete Work	\$ 64,400.00
5 Structural Steelwork	\$ 324,500.00
6 Metalwork	\$ 88,000.00
7 Brickwork	\$ 98,200.00
8 Carpentry	\$ 150,700.00
9 Aluminium Windows and Doors	\$ 97,000.00
10 Hardware	\$ 20,900.00
11 Roofing	\$ 66,000.00
12 Drainage and Plumbing	\$ 165,000.00
13 Electrical Services	\$ 312,000.00
14 Mechanical Services	\$ 121,000.00
15 Plasterwork	\$ 34,600.00
16 Suspended Ceilings	\$ 71,800.00
17 Wall and Floor Tiling	\$ 38,500.00
18 Resilient Finishes	\$ 49,500.00
19 Glasswork	\$ 6,600.00
20 Paintwork	\$ 46,750.00
21 <u>PROVISIONAL SUMS</u>	
21a Water Corp Headwork Charges	\$ 24,200.00
21b DoH Effluent Treatment Approvals	\$ 1,650.00
21c Western Power Headworks	\$ 59,785.00
21d Remote Switch Electric Heaters	\$ 3,300.00
21e Signage	\$ 5,500.00
TOTAL	\$ 2,193,016.10

Further to the original project budget, the Shire of Nannup has successfully applied for funding from the Natural Disaster Resilience program and the South West Development Grant Scheme, the details are as follows:

Natural Disaster Resilience Program (NDRP)

The outcomes for the grant are:

- Resilience and capacity is built in the community

- Community volunteer organisations can use the commercial kitchen during emergencies
- Recovery from an emergency can be achieved quickly
- Residents have access to up to date information during an emergency.

The line items submitted to justify this grant amount are below, however the line items are not critical to the grant acquittal. Grant acquittal is based on proof of 50% contribution from the Shire of Nannup and the above four outcomes have been achieved. The grant funding is for \$221,178 from NDRP and a matching \$221,178 from the Shire of Nannup.

South West Regional Grant Scheme (SWRGS)

The elements for the grant are:

- Rendering of the existing building to ensure the two facilities are aesthetically pleasing and are integrated in the one project
- New doors on the existing building and the removal of the grated window treatment to renovate and modernise the facility.
- Precinct signage
- Bituminising the road entrance and car parking, kerbing and ensuring safety of pedestrians and traffic
- Car park linemarking and exterior building lighting
- Landscaping, including outdoor furniture
- Emergency management considerations.

The grant funding is for \$144,294 from SWRGS, \$131,000 from the Shire of Nannup and \$7,000 from other sources.

To incorporate the Natural Disaster Resilience Program and South West Regional Grants Scheme grants, it was decided to issue specific line item variations to ensure the Shire meets the grant criteria, outcomes and estimated costs:

The following is a list of all variations to date, include the above-mentioned grant items:

	TRADE COMPONENTS	TOTAL (incl GST)
22	S1-RJ North Sports Hall Entry	\$ 16,067.40
23	SI-003 South Kitchen/Bar Entry	\$ 8,598.74
24	VQR01 Vents on existing sports hall	-\$ 7,152.20
25	VQR02 Raise floor height	\$ 37,371.21
26	VQR03 Water and fire services	\$ 9,631.42
27	VQR04 Change to stormwater pipe	-\$ 2,575.00
28	VQR06 Column lighting	-\$ 31,856.86
29	VQR08 GPP Ceiling	\$ 4,704.48
30	VQR09 Eastern gable of existing hall	\$ 19,506.30
31	VQR11 Seniors / Community room lighting	-\$ 1,369.50
32	VQR13a Jarrah column cladding	-\$ 25,707.00
33	VQR14 Deep sewerage	\$ 374.00
34	VQR15 Door hardware	\$ 2,249.30
35	VQR18 Connect to deep sewerage	\$ 14,193.30
36	VQR19 Vinyl flooring	\$ 1,923.90
37	VQR20 Community space	\$ 20,197.32
38	VQR21 Jarrah wall cladding	\$ 10,672.20
39	VQR25 Mini orb profile under roof	-\$ 7,050.00
40	VQR26 Removal of Verandah	\$ 1,540.00
41	VQR27 Bar	\$ 451.22
42	VQR28 NDRP - Dishwasher	\$ 5,455.00
43	VQR29 Boiling water unit	\$ 1,171.50
44	VQR30 NDRP - Exposed Aggregate Concrete	\$ 12,650.00
45	VQR31 DELETED	
46	VQR32 DELETED	
47	VQR36 NDRP - Down Pipes	\$ 8,766.45
48	VQR37 NDRP - Standing Platform	\$ 8,132.25
49	VQR38 Down Lights	-\$ 10,652.73
50	VQR39 NDRP - Air Conditioners	\$ 6,265.88
51	VQR40 NDRP - Solar Booster	\$ 462.00
52	VQR41 NDRP - Louver switch replacement	\$ 127.05
53	VQR42 NDRP - Highlight windows	\$ 837.38
54	VQR43 NDRP - Power shut down control	\$ 755.37
55	VQR44 NDRP - Essential services	\$ 743.82
56	VQR45 NDRP - Cool room electricity/plumbing	\$ 681.45
57	VQR46 Structural steel(hotweld) Building (A)	\$ 2,696.10
58	VQR47 Structural steel(hotweld) Building (B)	\$ 3,803.51
59	VQR48 Men's & Women's Vanity	-\$ 3,183.00
60	VQR49 NDRP - Inline water filter	\$ 862.40

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61	VQR50	Finishes schedule variation	-\$ 3,978.63
62	VQR51	NDRP Project management consultation fee	\$ 8,892.32
63	VQR52	NDRP - Requisite fire equipment	\$ 66,266.62
64	VQR53	NDRP - Alternative power supply	\$ 13,600.13
65	VQR54	NDRP - Alternative water supply	\$ 39,338.86
66	VQR55	NDRP - Requisite communication systems	\$ 42,472.96
67	VQR56	SWDCGS - PM consultation fee	\$ 5,000.00
68	VQR57	SWDCGS - Rendering of existing building	\$ 40,000.00
69	VQR58	SWDCGS- Exterior power point to building	\$ 8,500.00
70	VQR59	SWDCGS – Advisory signage	\$ 4,000.00
71	VQR60	SWDCGS – Upgrade existing doors	\$ 5,454.55
72	VQR61	SWDCGS – Drink fountain installation	\$ 800.00
73	VQR62	SWDCGS - Perimeter sprinklers	\$ 20,000.00
74	VQR63	SWDCGS - Community response access	\$ 22,291.50

The inclusions of these grants required an amount of cash contribution from the Shire as a matching component. With the relative matching components in the existing contract, there is still a requirement for an additional \$159,454.72 to be contributed in funding.

However the contract still has a remaining 25% to be completed, and some variations have only been quoted as provisional sums, therefore the above mentioned amount is accurate at the time of this meeting and may vary.

Approximately 30% of the NDRP and SWDC grant variations have been completed, but at the time of this meeting the building contractor could not provide the exact amount against each item. Therefore the above amount of \$159,454.72 is the full amount of variations and will be less once all line items have been reconciled.

It is the Officer's recommendation that this amount be finalised at the end of the project, a report be submitted to the Council in November, and the variation amount be funded from the Asset Management Reserve account.

STATUTORY ENVIRONMENT:

Legally a Local Government, as a public body, has the responsibility to follow the appropriate processes and to treat all tenderers fairly. The terms and conditions set out in this contract is the standard WALGA contract document and imply that the Shire of Nannup has acted legally and fairly to all tenderers in this case.

Section 3.57(1) of the Local Government Act 1995 requires a Local Government to invite tenders before it enters into a contract for a purchase of a prescribed kind, however Part 4 (Provision of Goods and Services) of the Local Government (Functions and General) Regulations 1996, Regulation 11 states this is only required for purchases worth more than \$100,000 unless Council have delegated otherwise.

The preparation, assessment and award of this tender complies with Part 4 (Provision of Goods and Services) of the Local Government (Functions and General) Regulations 1996 Division 2 – Tendering for Goods and Services.

Variations are being requested from the builder, as the Shire has a current contract for purchasing with BRC Building Solution. However Council Staff are obtaining market quotations as well to ensure variation prices from the builder are within normal market prices.

POLICY IMPLICATIONS:

Council's Consultation Policy Category 6 – Major projects with Shire wide impacts

FINANCIAL IMPLICATIONS:

The costing report for the Nannup Recreation Centre Project has been included in the meeting agenda documents for the Council information.

However, the income and 20105/16 budget for the project is listed as follows:

Income	
LotteryWest Grant	\$ 300,000.00
Natural Disaster Resilience	\$ 110,590.00
SWDC	\$ 144,294.00
Sports & Recreation Assoc.	\$ 100,000.00
Golf Club Contribution	\$ 100,000.00
Anonymous Donor	\$ 35,000.00
Department of Sport & Rec	\$ 105,000.00
Reserve Contribution	\$ 151,000.00
Road to Recovery (Centenary Drive)	\$ 100,000.00
BUDGET	<u>\$1,145,884.00</u>

At the time of this report, the original contract and inclusion of the NDRP and SWDC funding gives the following revised contract value:

Original Contract Value:

\$1,993,651.00	\$199,365.10	\$2,193,016.10 Incl GST
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Revised Contract Value:

\$2,451,651.04	\$245,165.10	\$2,696,816.14 Incl GST
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STRATEGIC IMPLICATIONS:

2.1 The Big Picture

We will have a sustainable, innovative and equitable economy

Promote innovative ideas and value add to businesses and industry

Work collaboratively with State and Federal Government agencies to improve our economy

Encourage and support more industry, businesses and employment into our Shire

RECOMMENDATION:

That Council:

1. Receives the September 2015 progress report for the Nannup Recreation and Community Precinct Project.
2. Endorses the transfer of up to \$159,500.00+GST from the Asset Management Reserve account, for the Nannup Recreation Centre Project.

Request the Chief Executive Officer to provide the Council with a detailed report and exact amount to be transferred once the final amount is known.

VOTING REQUIREMENTS: Absolute Majority

9268 DEAN/GILBERT

That Council:

- 1. Receives the September 2015 progress report for the Nannup Recreation and Community Precinct Project.**
- 2. Endorses the transfer of up to \$159,500.00+GST from the Asset Management Reserve account, for the Nannup Recreation Centre Project.**

Request the Chief Executive Officer to provide the Council with a detailed report and exact amount to be transferred once the final amount is known.

CARRIED BY ABSOLUTE MAJORITY 5/2

Voting for the Motion: Cr's Dean, Mellema, Longmore, Stevenson and Gilbert.
Voting against the Motion: Cr's Slater and Lorkiewicz.

AGENDA NUMBER:	12.7
SUBJECT:	Modifications to various Local Planning Policies: Submitted for final adoption
LOCATION/ADDRESS:	Applies throughout the district
NAME OF APPLICANT:	
FILE REFERENCE:	ADM 9
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	14 September 2015
PREVIOUS MEETING REFERENCE:	25 June 2015
ATTACHMENT:	12.7.1 - Recommended modified policies - versions seeking final adoption 12.7.2 - Submissions

BACKGROUND:

The purpose of this report is to inform Council of the public consultation outcomes and to seek Council's final adoption of the modifications to various Local Planning Policies. The recommended final adoption versions of the policies are set out in Attachment 12.7.1 which incorporates minor amendments from the versions that were publicly advertised. Recommended amendments to the publicly advertised policies are outlined in "highlight" or "strikeout".

The Council at its meeting on 25 June 2015 resolved the following at Resolution 9218:

"That Council:

- 3. Support the public release of the following draft modified Local Planning Policies, outlined in Attachment 12.1.2, and require the draft policies to be publicly advertised in accordance with the requirements set out in the Shire of Nannup Local Planning Scheme No. 3 with an increased advertising period of six weeks:***
 - i) LPP 1 Cut & Fill and Retaining Wall;***
 - ii) LPP 2 Private Stormwater Drainage Connections to Council's Drains;***
 - iii) LPP 4 Bed & Breakfast;***
 - iv) LPP 5 Consultation;***
 - v) LPP 7 Special Rural Fencing Standards;***
 - vi) LPP 8 Nannup Mainstreet Heritage Precinct;***
 - vii) LPP 11 Development in Flood Prone Areas;***

- viii) *LPP 12 Chalet Development in Agriculture, Agricultural Priority 1 & 2, Cluster Farming, Coastal Landscape and Special Residential Zones;*
- ix) *LPP 13 Car Parking and Vehicular Access; and*
- x) *LPP 15 Dedication of Road Access.*

4. *Reconsider the draft modified Local Planning Policies following the close of the public submission period and determine whether or not to adopt the policies with or without modification.*

Consultation

In accordance with the Council resolution and subsequently requested by Councillors, the Shire administration consulted extensively for a 6 week period through:

- writing to and inviting comments from 27 stakeholders and government agencies;
- placing public notices in local papers on multiple occasions;
- placing details on the Shire website;
- placing notices around the town centre; and
- having information available at the Shire office.

The *Shire of Nannup Local Planning Scheme No. 3 (LPS3)* requires that the Shire seek comment for at least 21 days on modifications to a Local Planning Policy. Therefore the consultation period significantly exceeds LPS3 requirements.

The Shire received 7 submissions on the draft modified policies (see Attachment 12.7.2). All of the submissions were from government agencies which either support or raise no objection to the draft modified policies.

COMMENT:

The Department of Water has provided useful comments which have resulted in changes to the advertised draft modified policies. This included the addition of the requirement for information pertaining to the management of surface water and shallow ground water in policies *LPP001 Cut & Fill and Retaining Walls* and *LPP002 Private Stormwater Drainage Connections to Council's Stormwater Drains* and additional information to be included in the related documents for both these policies. The related documents are available for viewing at the Shire office.

The Department of Planning also provided advice which has resulted in wording changes to policies *LPP001 Cut & Fill and Retaining Walls* and *LPP013 Car Parking and Vehicular Access*. These policies have been amended to distinguish between areas subject to the R-Codes and non-coded areas where the Shire's local planning policy provisions will be applied. Minor wording changes have also

been made to LPP005 Consultation to reflect the new 'deemed-to-comply' provisions of the Planning and Development (Local Planning Scheme) Act 2015.

It is suggested that the Council is now in a position to grant final adoption to the modified Local Planning Policies. These are slightly amended from the advertised draft modified versions to reflect the content of the submissions where necessary and based on a review by the Shire administration. Considering the extensive consultation that occurred on the draft modified policies, resulting in no submissions raising concerns, it can only be assumed that there is overall community/stakeholder acceptance or support for the modified policies.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, LPS3 and various State Planning Policies. Section 2.4 of LPS3 provides the ability to prepare, amend or rescind a Local Planning Policy.

POLICY AND CONSULTATION 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 policies but is required to have regard to the policies in determining Planning Applications.

FINANCIAL IMPLICATIONS:

There were costs to the Shire in advertising the draft modified policies.

STRATEGIC IMPLICATIONS:

The modified Local Planning Policies, if granted final adoption, will assist the decision-making of the local government, inform applicants/landowners of Council requirements and raise community and stakeholder awareness.

RECOMMENDATION:

That Council grant final adoption to the modified *Local Planning Policies* as set out in Attachment 12.7.1 and advise submitters of the above and thank them for their input into the process.

VOTING REQUIREMENTS: Simple Majority

9269 SLATER/MELLEMA

That Council grant final adoption to the modified Local Planning Policies as set out in Attachment 12.7.1 and advise submitters of the above and thank them for their input into the process.

CARRIED 7/0

AGENDA NUMBER:	12.8
SUBJECT:	Proposed closure of an unnamed road reserve on Lot 3 Halley Road, Cundinup
LOCATION/ADDRESS:	Lot 3 Halley Road, Cundinup
NAME OF APPLICANT:	Nathan & Helen Helms
FILE REFERENCE:	A190
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	16 September 2015
PREVIOUS MEETING REFERENCE:	
ATTACHMENT:	12.8.1 - Correspondence and plan from applicant 12.8.2 - Location map

BACKGROUND:

An application has been made to permanently close an unnamed road reserve which bisects Lot 3 Halley Road, Cundinup and once closed, for it to be amalgamated into the surrounding freehold land. The applicants' request is outlined in Attachment 12.8.1.

The location of the road reserve is shown in Attachment 12.8.2. The area is approximately 20 kilometres north-northeast of the Nannup townsite.

There is no evidence to indicate that a road was ever constructed in the unnamed road reserve either prior to gazettal or since, and the reserve terminates at the property boundaries to both the east and west. It is presumed that when the road reserve was created it originally extended to Halley Road or Gardiner Road but that this connection is now incorporated into State Forest.

COMMENT:

It is suggested that the Council initiates permanent closure of the unnamed road reserve and agrees that it be amalgamated into surrounding Lot 3 on Diagram 28934. This section of road reserve is superfluous and the land is largely cleared. There is no access to the unnamed road reserve from either the State Forest to the east or the freehold land to the west as the reserve is wholly contained on Lot 3 Halley Road.

If Council agrees, the Shire administration will advertise the resolution to initiate road closure in a newspaper circulating in the district for a period of 35 days, write to and invite comments from stakeholders and government agencies, place public notices on community noticeboards, place details on the Shire website and at the

Shire office. Following the close of the consultation period, the Council and the Shire administration will consider the submissions and determine whether to request the Minister to close the unnamed road reserve.

STATUTORY ENVIRONMENT:

Land Administration Act and *Land Administration Regulations*. A Council resolution is required to initiate the road closure process.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

There will be costs associated with advertising the resolution if Council resolves to initiate the road closure procedure.

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Council agree to initiate a request for permanent road reserve closure action, under section 58 of the Land Administration Act 1997 subject to the closed road reserve being amalgamated into surrounding Lot 3 on Plan 28934.

VOTING REQUIREMENTS: Simple Majority

9270 LORKIEWICZ/LONGMORE

That Council agree to initiate a request for permanent road reserve closure action, under section 58 of the Land Administration Act 1997 subject to the closed road reserve being amalgamated into surrounding Lot 3 on Plan 28934.

CARRIED 7/0

AGENDA NUMBER:	12.9
SUBJECT:	Chief Bushfire Control Officer Endorsement
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FRC 1
AUTHOR:	Chris Wade - Manager Infrastructure
REPORTING OFFICER:	Chris Wade - Manager Infrastructure
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	12 September 2015

BACKGROUND:

BUSH FIRES ACT 1954 - SECT 38

38. *Local government may appoint bush fire control officer*

(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

COMMENT:

During the recent Bushfire Advisory Committee Annual meeting the position of CBFCO was not filled. Since that meeting Cr Robin Mellema has advised he will nominate for the position. As this nomination is unopposed and has since the nomination had the full support from all Fire Control Officers it is put to Council for endorsement. Cr Mellema has many years of brigade experience and has served as a deputy for several seasons.

Further to the above Mr Ashley Kidd has nominated unopposed for a role as a Deputy Chief Bushfire Control Officer and has also been supported by FCO's.

Mr Chris Wade had been a deputy for 2 seasons and has been renominated unopposed.

Cr Robin Mellema	Chief Bushfire Control Officer
Ashley Kidd	Deputy Chief Bushfire Control Officer
Chris Wade	Deputy Chief Bushfire Control Officer

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

Council make the following appointments in accordance with section 38 Bushfires Act 1954

Cr Robin Mellema	Chief Bushfire Control Officer
Ashley Kidd	Deputy Chief Bushfire Control Officer
Chris Wade	Deputy Chief Bushfire Control Officer

VOTING REQUIREMENTS: Simple Majority

9271 SLATER/LORKIEWICZ

Council make the following appointments in accordance with section 38 Bushfires Act 1954

<i>Cr Robin Mellema</i>	<i>Chief Bushfire Control Officer</i>
<i>Ashley Kidd</i>	<i>Deputy Chief Bushfire Control Officer</i>
<i>Chris Wade</i>	<i>Deputy Chief Bushfire Control Officer</i>

CARRIED 7/0

AGENDA NUMBER:	12.10
SUBJECT:	Nannup Waste Disposal and Recycling Facility Tender 02/15
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	HLT2
AUTHOR:	Chris Wade - Manager Infrastructure
REPORTING OFFICER:	Chris Wade - Manager Infrastructure
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	12 September 2015

BACKGROUND:

Council's current contract for Management of The Nannup Waste Disposal and Recycling Facility expired at the end of June 2015.

A tender for the contract was advertised prior to this date but due to advice received from the Western Australian Local Government Association when reviewing the contract and tender the recommendation was that contract should be re tendered with some changes.

Further information that may be relevant and Council should be aware of, is that the previous contract was not managed by council staff to the level that the contract specifies due to staff resource issues. While some responsibility should be taken by the current contractor the major factor is due to lack of inspections and communications between council staff and the contractor. Most complaints or issues that have been raised by the public and from prospective tenderers are for this reason. The reason for bringing this to Council's attention is the likelihood that it may be raised on an individual level with councillors by rate payers once the tender is awarded.

The model that will be employed between officers and the new contractor will be fortnightly inspections between a senior manager and the contractor which will result in a written report on any pending works from both parties. Anything of a serious nature will be reported to Council at its monthly information session. Occasionally a different officer may inspect the site to cast an alternative set of eyes over the facility.

Over the coming years there will be some budget allocations required to get the Waste Management Facility heading towards compliancy to ensure that the facility meets the Environmental Protection (Rural Landfill) Regulations 2002. Firstly, two monitoring bores needs to be installed followed by settlement ponds,

Council also need to be considering reserve funding for the post closure costs which could be anywhere from \$500,000 upwards.

COMMENT:

Tender 02/15 Management of The Nannup Waste Disposal and Recycling Facility was readvertised and closed on 28th August 2015. There were 6 tenders received one of which was an alternative second tender. The evaluation was carried out by Council's 3 senior officers and WALGA's Procurement Services representatives individually. Each individual evaluation was then totalled into a final weighting scoresheet.

Council allocated \$116,500 in it 2015/16 budget for the management contract. Two tenderers supplied a cost under the allocation, two just over and two were considerably over the budgeted allocation.

The information supplied by the tenderers made the assessment process complicated to measure against each other as all tenders received contained minimal information in different areas. Further discussions have occurred with the two highest weighted tenderers to clarify any points of concern and to also reiterate the specifications and expectations of council from the new contractor.

Weighting for the evaluation were based on the following

Tendered Price	30%
Relevant Experience	30%
Personnel	15%
Service Performance	25%

The 6 tenders received are as follows

Name	Tendered Price EXT GST	Weighting
Verge Earthmoving	\$121,100	39.87
Worthy Contracting	\$110,000	38.70
Verge Earthmoving Alternative	\$117,536	33.26
VMS	\$190,000	31.04
Sellsmart	\$104,000	24.98
GL & RK Dickson	\$130,920	23.40

Evaluation was carried out purely on information supplied by the tenderers and it is also worth noting the alternative tender for Verge Earthmoving was based on changing the waste management facility into a transfer station over time but Council would incur extra costs for the transport of the weekly domestic waste to Manjimup with this option. The idea of a transfer station has been highlighted in Council Waste Management Plan and also its strategic plan. Costs of the transport of the domestic waste have not been sourced as officers feel this is

something that Council could work and budget towards over the life of this new contract.

The officer's recommendation will be to award Tender 02/15 to Worthy Contracting based on the weighting score and budget considerations.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

Council has allocated \$116,500 in its 2015/16 budget for the management of the waste management facility. If the officer's recommendation is supported there will be a saving of some \$6,500. This saving could be utilised on some infrastructure repairs that require attention in the near future or placed in the Waste Management Facility Reserve for the installation of two monitoring bores that currently are compliance issues.

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

Council award Tender 02/15 Management of The Nannup Waste Disposal and Recycling Facility to Worthy Contracting with the annual cost of \$110,000 excluding GST for 3 years with the option of a further 3 year extension subject to performance.

VOTING REQUIREMENTS: Simple Majority

9272 MELLEMA/LORKIEWICZ

Council award Tender 02/15 Management of The Nannup Waste Disposal and Recycling Facility to Worthy Contracting with the annual cost of \$110,000 excluding GST for 3 years with the option of a further 3 year extension subject to performance.

CARRIED 6/1

Voting for the Motion: Cr's Dean, Mellema, Stevenson, Slater, Lorkiewicz and Gilbert.

Voting against the Motion: Cr Longmore.

AGENDA NUMBER:	12.11
SUBJECT:	Budget Monitoring – July 2015 & August 2015
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Prime – Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	24 September 2015
ATTACHMENTS:	12.11.1 – Financial Statements for the period ending 31 July 2015 12.11.2 – Financial Statements for the period ending 31 August 2015 12.11.3 – Table Showing Detailed Variances for 2015/16 12.11.4 – Graph showing Rates Movements for 2015/16 as at 15 September 2015

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 \$5,000, whichever is the greater on which to report. The statutory statements are appended at Attachment 12.11.1 and 12.11.2

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:

At this early point in the financial year most expenditure is expected to be contained within budgets and no major overspends are anticipated. All variances over 10% are considered to be timing issues with the exception of the Recreation Centre. Details of this project are contained within another report within this agenda.

Attachment 12.11.3 provides a detailed breakdown of income and expenditure incurred to 31 August 2015 and the associated annual budgets. The first two columns show the budget and the income or expenditure to date against each account code. The two columns on the right show the budget remaining for the year and the anticipated income or expenditure at the year end.

Also included within this month's attachments is a breakdown of rates levied for 2015/16 as well as the current level of receipts received within this area.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 34(1)(a).

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

It is recommended that the Monthly Financial Statements for both periods ending 31 July 2015 and 31 August 2015 be received.

VOTING REQUIREMENTS: Simple Majority

9273 LORKIEWICZ/STEVENSON

It is recommended that the Monthly Financial Statements for both periods ending 31 July 2015 and 31 August 2015 be received.

CARRIED 7/0

AGENDA NUMBER:	12.12
SUBJECT:	Monthly Accounts for Payment - August 2015
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT	15 September 2015
ATTACHMENTS	12.12.1 - Schedule of Accounts for Payment – August 2015 12.12.2: - Credit Card Payments – August 2015

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund to 31 August 2015 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 one corporate credit card currently 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	7446 - 7524	\$438,846.70
Accounts paid by cheque	19853 –19866	\$7,739.12
Accounts paid by Direct Debit	DB9333-1 to DB9333-7	7,467.81
Sub Total Municipal Account		\$454,053.63

Trust Account

Accounts paid by EFT	\$0.00
Accounts Paid by cheque	\$0.00

SubTotal Trust Account	<u>\$0.00</u>
Total Payments	<u>\$454,053.63</u>

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 \$454,053.63 in the attached schedule be endorsed.

VOTING REQUIREMENTS: Simple Majority

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That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$454,053.63 in the attached schedule be endorsed.

CARRIED 7/0

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
Nil**

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

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

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

17. CLOSURE OF MEETING

There being no further business to discuss the Shire President declared the meeting closed at 17.45 hours.