



Shire of
Nannup
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Minutes

Council Meeting held Thursday 27 July 2017

CONFIRMATION OF MINUTES

These minutes comprising pages 1 – 67 were confirmed by Council on 24 August 2017 as a true and accurate record.

.....
Tony Dean

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4.25pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

ATTENDANCE:

Shire President: Cr T Dean

Deputy Shire President: Cr R Mellema

Councillors: C Gilbert, R Longmore, N Steer and P Fraser

Peter Clarke – Chief Executive Officer

Tracie Bishop – Manager Corporate Services

Jane Buckland, Development Services Officer

APOLOGIES:

Mr Jon Jones, Manager Infrastructure.

LEAVE OF ABSENCE:

Cr Slater had been granted Leave of Absence from this meeting at the 27 April 2017 Ordinary Council Meeting.

Cr Stevenson had been granted Leave of Absence from this meeting at the 22 June 2017 Ordinary Council Meeting.

VISITORS:

Mrs Rita Stallard, Mr Ian Gibb, Mrs Val Nash, Mr Greg Hodgson, Mr Michael Lindsay, Paul & Louise Meschiati, Heather Walford, Robert Marshall, Mr Jasper Grugeon, Mrs Colleen Grugeon, Mr Walter Marlow, Mr Warren Smith, Mr Vincent Corlett, Mrs Jasmine Christie, Mr Ernest Gizzarelli, Mr Kevin King, Mr Len Gilchrist, Mr Neil Marlow, Ms Eileen Podziuka, Steven Bornitici, Ms Bee Winfield, Mrs Sue-Claire Donovan, Mr Stewart Seesink, Mr Ton van Hattem, Mr Douglas Poultney, Mr Martin McKie, Mrs Ellie McKie.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.

Nil

4. PUBLIC QUESTION TIME:

The Shire President invited questions from the Public.

Mrs Rita Stallard, Lot 104 East Nannup Road

Q1: Within the Bushfire Information Leaflet included with the Rates Notices this year, the details relating to firebreaks for Rural, Special Rural and Urban properties appear to have changed from previous years. Is there an error within the leaflet or have the dimensions for firebreaks increased?

A1. **The Shire President deferred this question to the CEO who advised that staff would investigate this matter and advise Mrs Stallard advised in due course.**

Q2: I notice in the Information Brochure there is mention of funds being made through Community Grants. What criteria are required to apply for these grants and would it be possible for the Nannup Basketball Association to apply through this process for a concession on court hire?

A2. **The Shire President advised that Community grants are available to all not-for-profit community groups and it is possible that Nannup Basketball Association could apply for funding. However grants for each financial year open in the January of the year preceding i.e. Grants for 17/18 were applied for in January 2017. Therefore Nannup Basketball Association could not access funds for upcoming year but could apply for the 2018/19 budget.**

Q3: Still within the information brochure, can you please explain what the \$12,500 Visitors Centre Contract is?

A3. **The Shire President responded that this is an annual contribution that Council make to “A Taste of Nannup” for the provision of visitors services. The contract has been in place for approximately 3 years.**

Q4: Can you also explain what the \$10,000 tourism investigation is?

A4. **The Shire President advised that the Shire of Nannup was in a unique position of having the opportunity to investigate potential tourism and recreational opportunities within a previously held pastoral lease and has a Licence Agreement with the Department of Lands for a 5 year term with a 5 year option for this purpose. Quannup is approximately 10,000 hectares of coastal land adjacent to the D'Entrecasteaux National Park. The Shire of Nannup intends to utilise these funds to pursue investigations, initially with a flora and**

fauna survey, with the hope of eventually developing low key eco-tourism ventures.

Q5: Finally there is also inclusion of a further \$10,000 tourism promotion expense; is this the same as the "A Taste of Nannup" expense?

A5. **The Shire President advised that is for the development of an Local Tourism Organisation (LTO). This is a joint initiative between the Shires of Bridgetown-Greenbushes, Manjimup and Nannup to develop an overarching tourism body to drive tourism within the region. It is intended to be similar to that of the Busselton Augusta Margaret River Tourism Association.**

The Shire President further advised that at present the LTO is in its infancy phase with a Steering Committee having just been appointed. This committee consists of 3 community members from each local government who now will work towards the creation of this body. The Shire of Nannup's representatives are Heather Walford, Leon Buckley and Di Ness. It is envisaged that the LTO steering committee will present its findings to the Alliance of Councils within the next 12 months.

Ellie McKie, 5350 Vasse Highway

Q1: In regards to my presentation last month, just prior to the presentation the Shire President said "bounce down" what did you mean by this?

A1. **The Shire President advised that he could not recall saying this.**

Q2: Why didn't the Nannup Shire join the WALGA Biodiversity Program which was a grant funded program running from 2001-2014?

A2. **The Shire President responded that between 2001-2004 the WALGA Biodiversity Program was established to consider biodiversity conservation planning for the Perth Metropolitan Region only.**

Between 2004-2008 pilot methodologies were developed for Local Biodiversity Strategies and extension of the geographic application outside of Perth via the South West Biodiversity Project 2006-2009. From 2008 onwards the program was extended to regional centres experiencing development pressure. Funding for the South West Biodiversity Project closed in 2009.

From my understanding the Biodiversity Funding Program was primarily for the Metropolitan and larger Regional Local

Governments to develop strategies to address land (Reserves) under their control that would not be impinged upon development and therefore, Shire of Nannup was not within these categories.

Q3: What recreation/tourism potential is the Shire of Nannup considering at the old golf course and adjoining area?

A3. **The Shire President advised that there are no recreational/tourism activities proposed for the old Golf Course. This land is State Government controlled.**

Q4: In the Local Planning Strategy, 4.8 Landscape Protection, it states that the local governments strategy is to protect and enhance landscapes and associated visual amenity and character of 'viewsheds' associated with major roads and tourist routes. Has the council implemented this strategy in regards to the scenic drive along the Vasse Hwy where logging is proposed to take place at the Barrabup 03 coupe less than 5km to town?

A4. **The Shire President advised that the Local Planning Strategy at this stage is only in Draft form and is currently before the Western Australian Planning Commission for approval. Therefore, due to its Draft form, Council has not implemented any strategies associated with the LPS.**

Q5: In the Local Planning Strategy, 5.4 Tourism, some of the strategies that the local government will do are:

- support the development of tourist attractions on Crown land where possible;
- Encourage the development of a wide range of tourist and recreation facilities;
- Examine opportunities for the development of trails in and around Nannup.

In regards to these strategies would the council therefore support the proposal to save Barrabup 03 forest from being logged and develop it into a National Park, considering its amazing biodiversity value which will draw tourists, outdoor adventurers, wildflower enthusiasts and will help support the health and lifestyle of the community?

A5. **The Shire President advised that the Local Planning Strategy at this stage is only in Draft form and is currently before the Western Australian Planning Commission for approval. Therefore, due to its Draft form, Council has not implemented any strategies associated with the LPS.**

The Forest Management Plan 2014-2023 that was prepared by the Conservation Commission of WA and the then Department of Parks and Wildlife, and endorsed by Government, is the document by which the State Government manages WA's National Parks, Conservation Parks, Nature Reserves, State Forest and Timber Reserves. Council defers to this Plan.

Council appreciates your concerns in respect to the Barrabup 03 Forest and your passion to save it from being logged however; Council considers it must remain impartial on this issue as it needs to consider not only conservation issues but also the timber industry in Nannup, which is a major employer of people in the district. The Shire President then deferred to Mrs Jane Buckland, Shire of Nannup Development Services Officer who advised that if a proposal for recreational tourism potential was received Council would consider the application and lobby government based on merit.

- Q6: We approached 17 businesses which were open in the main street of Nannup today to ask them to sign a petition in favour of exempting Barrabup forest from being logged. Only 4 out of 17 refused to sign. Do the Councillors who have been elected by the community members of Nannup agree that they should support and listen to all businesses and their wishes and not just the mill as the shire are promoting Nannup as a tourism town and wish to encourage and attract tourists to the area?
- A6. **The Shire President advised that Council does take into account all opinions but in this instance the land was under State Government control and therefore it is a state government issue. The Shire President advised the purpose of the Forest Management Plan and indicated that copies of this were available. This Plan details the logging status and also biodiversity plans that are currently in place within the state of Western Australia.**
- Q7: Would Council consider calling a meeting based on the level of support received from the petition?
- A7. **Shire President responded that as this related to State Government controlled land Council would not convene a meeting for this purpose.**
- Q8: Barrabup Conservation Group was formed to save a small area of forest which is rich in cultural heritage, rare and threatened flora and the main gateway to our town. The Nannup Timber Mill manager, Vince Corlett, has turned it around to make it out like we want to close the mill, this is not the case as we have stated from the beginning. But on that note, in the Local planning strategy under Industry on page 19, it states:-

The local government will:

e) require further detailed investigations and a structure plan in the event that the Nannup timber mill has surplus land and relocates or closes

Can you please explain what detailed investigations and what structure plan is the local government doing?

A8. The Shire President advised that he would take this question on notice and would provide a written response to Mrs McKie in due course.

Len Gilchrist, 150 Blackwood River Drive

Mr Gilchrist firstly requested that the Shire President read a letter he had received from the Corruption and Crime Commission (CCC).

The Shire President reminded Mr Gilchrist that this part of the meeting was allocated for Public Question Time and that this was what he was seeking from Mr Gilchrist.

Mr Gilchrist proceeded to read the letter.

It should be noted that the letter was advice from the CCC on how to submit a complaint.

Q1: What do you think of me contacting the Crime and Corruption Commission?

A1. Shire President responded – No comment.

Q2: Why not? Why do you tell lies? You are a liar.

At this point the Shire President adjourned the meeting and requested that Mr Gilchrist leave the Chamber based on his defamatory remarks. The Chief Executive Office escorted Mr Gilchrist from the premises.

Meeting adjourned at 4.45pm.

Meeting resumed at 4.47pm.

Jasmine Christie, Blackwood River Drive

Q1: I am the new Vice President of the Nannup Basketball Association. As an Association we have found it very expensive to hire courts and cover costs without imposing higher annual fees to our participants. This is partially as a result of Kidsport funding guidelines changing resulting in less families being able to utilise this funding as well as overall increases across the board. Based on this the Association would like to ask if there is any possibility of receiving a concession on court hire so that our fees can remain similar to previous years fees?

A1. **The Shire President responded that if the Nannup Basketball Association would like to put their request in writing it would be able to be assessed on merit.**

Bee Winfield, 48 Tomas Road

Q1: Can anyone make a presentation?

A1. **The Shire President responded that this was not possible without prior notice as this is Public Question Time was allocated for questions and not presentations.**

Q2: Is there a later opportunity to make a presentation? How long can presentations be?

A2. **The Shire President advised that this was a possibility provided that notification had been given in advance and that as a general rule each presentation should be approximately 15 minutes in length.**

Ms Winfield then proceeded to state a myriad of facts and figures relating to forest conservation and environmental issues worldwide. There did not appear to be any relevant questions for Council within her statements.

As a consequence of Ms Winfield's statements, the Shire President advised that her statements were not relevant for Council to respond to as they were out of the jurisdiction of Council and that it would be more relevant for her to raise these issues with the appropriate Government bodies and private entities.

These authorities were considered to be the Department for Biodiversity Conservation and Attractions, Forest Products Commission, Nannup Timber Mill and the Minister for Forestry.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

The Shire President introduced Mr Michael Lindsay, Property Owner, and Mr Greg Hodgson, Senior Forester Plantations with the Forest Products Commission to address Council on the Development Approval Application for the Establishment of a Pine Plantation on Lot 83 East Nannup Road and Lindsay Road, Lot 137 Lindsay Road and Lot 86 East Nannup Road, East Nannup.

Mr Lindsay and Mr Hodgson provided Council with a comprehensive presentation in order to address some of the concerns that had been raised by Council and the community via the submission process.

At the conclusion of the above presentation, the Shire President thanked Mr Lindsay and Mr Hodgson indicating that Council would give due consideration to the Development Approval Application during the course of the meeting.

7. DECLARATIONS OF INTEREST

The Shire President advised that Cr Fraser had advised in writing that she would be declaring a Proximity Interest in Item 12.3 of the Agenda as her property adjoins the Mr Lindsay's property in which a Development Approval Application is before Council for consideration.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

17131 FRASER/STEER

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 22 June 2017 be confirmed as a true and correct record.

CARRIED (6/0)

17132 FRASER/STEER

That the minutes of the Special Council Meeting of the Shire of Nannup held in Council Chambers on 18 July 2017 be confirmed as a true and correct record.

CARRIED (6/0)

9. MINUTES OF COUNCIL & OTHER COMMITTEES

17133 GILBERT/MELLEMA

That the minutes of the Western Australian Local Government Association South West Zone Meeting held on 23 June 2017 be received.

CARRIED (6/0)

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

Nil

AGENDA NUMBER:	12.1
SUBJECT:	Review of the Emergency Services Levy (ESL)
LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	Western Australian Local Government Association
FILE REFERENCE:	FRC 21
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	14 July 2017
ATTACHMENT:	12.1.1 – Review of the Emergency Services Levy: Draft Report

BACKGROUND:

WALGA has advised that the Economic Regulation Authority released its Draft Report of the Emergency Services Levy (ESL) on Friday, 7 July 2017.

WALGA advises that the draft report is the culmination of all submissions made to the ERA in the first phase of consultation. WALGA developed a submission on behalf of members with strong engagement resulting in participation from over 80% of councils.

WALGA's preliminary analysis of the recommendations shows that the ERA have acknowledged a number of important issues raised in WALGA's submission, including:

- The need for greater transparency and accountability about how money is spent on emergency services.
- Recognition that the agency that advises the Minister for Emergency Services on ESL revenue and rates should not benefit from the ESL.
- A recommendation that the oversight function of the ESL should be removed from the Department of Fire and Emergency Services (DFES) and given to the Office of Emergency Management (OEM), to provide a level of transparency and introduce accountability to those agencies responsible for delivering emergency services to communities throughout Western Australia.
- It was pleasing to hear that the ERA considered the main purpose of the ESL is to enable all Emergency service workers to be ready to respond to emergencies across the state. This includes the ESL funding preparedness activities that have community wide benefits or which involve coordination of prevention across tenure.
- A recommendation that Local Governments should be compensated for the cost of collecting ESL revenue (including the costs of recovering unpaid debts and any ESL revenue that cannot be recovered)
- The ERA were asked to review to what extent the ESL should be available to fund a Rural Fire Service, and what effect that would have on how much people pay for emergency services.
 - The draft report has highlighted models ranging from \$4.2 million to \$560 million
 - WALGA are pleased to see rigorous models and tangible figures provided to government to inform their decision making on a rural fire service.

The ERA are again opening a consultation period for submissions to be made against the draft report closing on 11 August 2017. All feedback collected during this period will inform the final report that will be tabled with the Treasurer by 29 September 2017.

COMMENT:

WALGA advises that it will again facilitate the development of a submission to the ERA, who have requested that where possible, the sector put forward a clear unified position on the key recommendations. Local Governments are able to provide their own submission, as some did in the first phase of the review. It is important to note, the ERA is an independent statutory authority established by the Parliament of Western Australia. They work independently of industry, government and other interests to ensure decisions and recommendations are free from bias. The *Economic Regulation Authority Act 2003* articulates legislative obligations for the ERA and its Minister. Of interest to members is that the final report produced by the ERA is to be laid before each House of Parliament within 28 days after the Minister receives the report. (*ERA Act 2006, s.26 (6)*).

WALGA encouraged all members to feed into the ERA process so that it can be dealt with by the government in a formal manner.

In order to prepare a final submission to the ERA, WALGA requested Council's support in facilitating a response. A response was required prior to the conduct of the July 2017 Ordinary meeting as the submission for comments to WALGA date was Wednesday, 26 July 2017. The CEO did refer the attached comments to Councillors input prior to it being submitted.

The public submissions to the ERA close on the 11 August 2017. To this end, the sector is working to some tight milestones which are listed below.

Key milestones

ESL Milestones	
Actions	Due Date
WALGA provide template for Local Governments	12 July 2017
Templates returned to WALGA	26 July 2017
WALGA Convention <ul style="list-style-type: none"> • presentation by ERA • pop up policy booth - ESL Review 	5 August 2017 4/5 August 2017
WALGA collate and draft response to ERA	8-10 August 2017
WALGA submission to the ERA	11 August 2017

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Community – Strategy1.2
Our Aged – Provide an Aged Friendly Environment

RECOMMENDATION

That Council endorses the Shire of Nannup's comments that were submitted by the CEO to WALGA on the recommendations contained within the Economic Regulation Authority's Draft Report on the Review of the Emergency Services Levy.

VOTING REQUIREMENTS: Simple Majority

17134 LONGMORE/MELLEMA

That Council endorses the Shire of Nannup's comments that were submitted by the CEO to WALGA on the recommendations contained within the Economic Regulation Authority's Draft Report on the Review of the Emergency Services Levy.

CARRIED (6/0)

AGENDA NUMBER:	12.2
SUBJECT:	Nannup Tiger Replica Model Project
LOCATION/ADDRESS:	Nannup CBD
NAME OF APPLICANT:	Business Initiative Group Nannup (BIGN)
FILE REFERENCE:	ASS 4
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	18 July 2017
ATTACHMENT:	None

BACKGROUND:

The Chairperson of the BIGN, Mrs Di Ness, has written to Council to advise that it has been developing a tourist attraction for Nannup that will see life like replica models of the Nannup Tiger placed in and around the Nannup CBD.

Mrs Ness advises that this development will be in three (3) stages. At present BIGN is looking to complete stage 1 although she has summarised the three stages for Councils information. All three stages are a standalone concept so no stage relies on another stage.

Stage 1

This will see five (5) Nannup Tigers displayed throughout the CBD of the Nannup town site. All businesses will be invited to display the Tigers outside of their businesses on a rotation roster. The cost of this program will be \$20,000 which will be funded through the activities of BIGN. There will be an opportunity for businesses to purchase their own Nannup Tiger for their exclusive use at their cost.

Stage 1 will have 5 static life size Nannup Tigers in three different stances. They will need to be tethered to a post or similar to reduce the ability of theft and they are to be located to the left or right of the footpath when located so as not to impede access along the footpath. BIGN is seeking Council permission so that this can be achieved.

BIGN proposes that together with Council, appropriate positions be identified with tethering points for maximum exposure and enjoyment of our community and visitor's experience.

Stage 2

This will see 30 Nannup Tigers supported with 40 different locations located throughout the bush trails, picnic areas and places of interest in the surrounding areas of Nannup. Visitors to Nannup will be able to explore these areas to locate the Tigers, record a bar code/QR code on a mobile phone app and upon funding 75% of the Tigers will be entitled to a Bronze Certificate with 85% a Silver Certificate and 100% a Gold Certificate. These certificates will be claimable at a pre-determined vendor machine in the CBD. For security, each Tiger will be fitted with a satellite tracking device to assist with reducing the opportunity of theft. With regards to there being 40 different locations, this allows the Tigers to be rotated in different locations so that over a 12 month period there will always be a challenge to find the Tigers. Participants will never necessarily know the locations of the Tigers, giving an ongoing challenge to participants in the search.

Stage 2 has been costed at \$180,000 and BIGN expects could be in place in two to three years if the town gets behind the idea.

Stage 3

This stage is extremely ambitious and will cost in the vicinity of \$500,000. It would in BIGN's opinion become a major tourist attraction to Nannup if town folk wanted to engage this idea. This stage would be extremely unique and possibly it may become cheaper as time goes by as it will be the result of the evolution of robotics that does exist today. Stage 3 will see a robotic Nannup Tiger move freely along the footpaths of Nannup. The technology behind this idea combines robotic, drone, electronic global positioning systems and solar technology.

BIGN advises that Stage 1 funding model is expected to be as follows:-

- 1 Tiger will be funded from community fundraising i.e. raffles etc. \$4,000
 - 1 Tiger will be funded from community fundraising and BIGN resources \$4,000
 - 3 Tigers will be funded from sale/sponsorship from 3 Nannup businesses \$12,000
- These businesses will receive certain benefits for their contribution

BIGN will also be offering additional Tigers for outright sale to any individual business for \$4,500 each.

In addition to the above project, these Tigers will for all intents and purposes be extremely life like and be somewhat weather proof although they are not designed to be permanently subject to harsh weather.

Under BIGN's agreement with the specialist WA manufacturer of the Tigers, the BIGN will own the purpose designed clay moulds and would be able to sell additional Tigers.

BIGN trusts that Council can support this project as it is both passive and interactive and should enhance reasons for people to both visit and stop in Nannup.

COMMENT:

BIGN should be commended in the development of this proposal and whilst Stage 1 is achievable based on the funding proposal, Stages 2 and 3 are very ambitious and considerably costly.

It is considered that Council should support BIGN in developing Stage 1 of the project by identifying suitable positions for the tethering of the Tigers in the main CBD area.

Should the project capture the imagination of the community following Stage 1 of the project, Council could look to assisting BIGN financially in future Budgets or through support in grant applications.

Mr Ian Gibb is BIGN's coordinator for the Nannup Tiger project.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2017-2027 – Our Economy - Strategy 2.1, The Big Picture – Promote innovative ideas and value add to businesses and industry.

Shire of Nannup Community Strategic Plan 2017-2027 – Our Economy - Strategy 2.2, Tourism/Recreation – Work together to attract people to our amazing Shire.

RECOMMENDATION

That Council advises BIGN that it supports the concept of the Nannup Tiger Replica Model project and initially will assist in the identification of suitable positioning and tethering points for the Tigers in the CBD as part of Stage 1 of the project.

VOTING REQUIREMENTS: Simple Majority

17135 STEER/FRASER

That Council advises BIGN that it supports the concept of the Nannup Tiger Replica Model project and initially will assist in the identification of suitable positioning and tethering points for the Tigers in the CBD as part of Stage 1 of the project.

CARRIED (6/0)

Cr Fraser had declared a Proximity Interest in Item 12.3 of the Agenda as her property adjoins the Mr Lindsay's property.

Cr Fraser left the Chamber at 5.17pm

AGENDA NUMBER:	12.3
SUBJECT:	Development Application – Lindsay Tree Plantation
LOCATION/ADDRESS:	Lot 137 on DP246151 Lindsay Rd, Lot 83 on D23898 East Nannup Rd & Lot 86 on D99143 East Nannup Rd, East Nannup
NAME OF APPLICANT:	Forest Products Commission
FILE REFERENCE:	A487 & A1354
AUTHOR:	Jane Buckland - Development Services Officer
REPORTING OFFICER:	Peter Clarke - Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT	12 July 2017
ATTACHMENTS:	12.3.1 - Information from applicant 12.3.2 – Location Map 12.3.3 – Submissions 12.3.4 – Further information from applicant & owner 12.3.5 - Extract from <i>State Planning Policy 2.5 Rural Planning, Rural Planning Guidelines</i> and draft Shire of Nannup Local Planning Strategy

BACKGROUND:

The applicant, Forest Products Commission (FPC), has lodged a Development Application seeking approval for a pinus radiata tree plantation to be established on Lot 137 on Deposited Plan 246151 (Lindsay Rd), Lot 83 on Diagram 23898 (East Nannup Rd) and Lot 86 on Diagram 99143 (East Nannup Rd), East Nannup.

This is the second application made in respect to the establishment of a plantation on Lots 137 and 86. The previous application was refused by Council at its meeting of 23rd March 2017.

Details submitted by FPC are provided in Attachment 12.3.1. The applicant proposes to develop 87 hectares on the three parcels of land for the purpose of softwood timber production on land which has previously been used for export pulpwood plantations shown in Attachment 12.3.2. The plantations are intended to be secured by FPC for a minimum of 30 years in accordance with the *Forest Products Act WA 2000* under a Timber Share Farming Agreement (profit à prendre).

The Shire administration invited public comment on the Development Application by writing to 14 adjoining landowners, 2 additional stakeholders (East Nannup Volunteer Bush Fire Brigade and the Chief Fire Control Officer), placing details on the Shire website and at the Shire office.

The Shire received 9 submissions on the Development Application which are outlined in Attachment 12.3.3. Seven submissions raised no objections, and the other two raised objections for the impact of weed control methods on neighbouring properties and watercourses, and increased fire risk reasons. The submissions that opposed the Development Application suggested that the applicant is relying too heavily on adjacent landowners and the local volunteer bush fire brigade to be responsible for providing fire-fighting equipment should a fire emergency situation arise. The submissions also noted that establishing a pine plantation on these two lots added additional fuel loads to the area.

In accordance with established practice, the Shire administration has liaised with the applicant since the receipt of submissions. The owner has in turn responded with a letter and the applicant has provided a detailed response to all issues raised by the submitters as shown in Attachment 12.3.4.

Planning framework

State Planning Policy 2.5 Rural Planning (SPP2.5) generally supports tree farming through its policy objectives:

- “(a) support existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food; and
- (b) provide investment security for existing, expanded and future primary production and promote economic growth and regional development on rural land for rural land uses.”

“Tree farming” is an umbrella term used to describe the planting of trees to generate economic return and/or environmental benefits. An extract from SPP2.5 is shown in Attachment 12.3.5.

In addition to the above objectives, SPP2.5 also states:

“WAPC policy in regard to tree farming is:

- (a) tree farming is supported and encouraged on rural land as a means of diversifying rural economies and providing economic and environmental benefit;
- (c) tree farming should generally be a permitted use on rural land, except where development of a tree farm would create an extreme or unacceptable bushfire risk or when responding to specific local circumstances as identified in a strategy or scheme;

- (d) local governments should manage the location, extent and application requirements for tree farming in their communities through local planning strategies, schemes and/or local planning policies;
- (e) in planning for tree farming, local government considerations should include but are not limited to, potential bushfire risk, environmental and economic factors, water availability and recharge, visual landscape impacts, transport impacts of tree farming (where harvesting is proposed), planting thresholds, appropriate buffers, and location relative to conservation estates and sensitive land uses.”

The endorsed Shire of Nannup draft Local Planning Strategy is currently with the Western Australian Planning Commission for final endorsement and generally supports tree plantations as outlined in Attachment 12.3.5. The draft Local Planning Strategy states the following in regards to tree plantations:

“The local government’s strategy in regard to tree plantations is to:

- a) support the establishment of plantations and farm forestry on land zoned Rural, and consider on its merits plantations and farm forestry on land zoned Priority Agriculture; and
- b) require relevant planning considerations to be met including bushfire management, vermin management, identification of a suitable harvesting route and appropriate arrangements to ensure the local government roads are in a similar condition post harvesting as pre-harvesting.”

The site is zoned “Agriculture” under the *Shire of Nannup Local Planning Scheme No. 3* (LPS3). “Plantation” is a “D” use in this zone meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval.

Outlined below are relevant clauses from LPS3:

“4.2 Objectives of the Zones

- **Agriculture Zone**
To provide for the sustainable use of land for a range of rural pursuits which are compatible with the capability of the land, whilst retaining the rural character and amenity of land within the zone.”

“4.13.1.2 Agriculture Zone

4.13.1.1 Specific Objectives of the Zone

- (a) To preserve the rural character and setting of the zone, particularly along transport corridors;
- (b) To promote a range of rural pursuits which are compatible with the capability of the land to sustain those pursuits;
- (c) To conserve the productive potential of agricultural land and support the continued development of extensive farming; and
- (d) To encourage environmental sustainable development that takes into account the land’s natural attributes, including topography, geomorphology, remnant vegetation, watercourses and groundwater.”

Local Planning Policy No. 20 Developer and Subdivider Contributions (LPP020) provides guidance for Council in obtaining contributions in the form of land, infrastructure works, monetary payment, or agreed in-kind contributions from developers for the provision, extension or improvement of infrastructure, services or facilities.

Local Planning Policy No. 21 Bush Fire Management (LPP021) provides guidance for assessing development applications where the development is located in a bushfire prone area or will increase the risk of bush fire in an area.

COMMENT:

A) Overview

It is recommended that Council approve the Development Application subject to conditions. This follows assessment against LPS3, State Planning Policy SPP2.5, the draft Local Planning Strategy, Local Planning Policies LPP020 & LPP021, considering the views of the submitters and information provided by the applicant. It is noted, for instance, that:

- no clearing of native vegetation is proposed;
- buffers will be placed between the plantation area and identified waterways and dams;
- there are no heritage or cultural sites located in the plantation area;
- there are suitable buffers to surrounding buildings;
- timber resources are important to the district and region;
- the land is not zoned or identified as priority agriculture; and

- State Government agencies did not raise any objections with the original Development Application.

Since the previous Development Application was refused by Council in March 2017, the applicant and property owner have visited other property owners in the immediate area to discuss their concerns and the applicant has reviewed the Plantation Management Plan.

The following notable changes have been made to the application:

- The applicant has reviewed the state-wide FPC Plantation Management Plan template to ensure compliance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and *State Planning Policy SPP3.7 Planning in bushfire prone areas*;
- The applicant has acknowledged that stakeholder engagement is essential to ensure the needs and interests of those stakeholders are considered in FPCs activities and to ensure the success of ongoing operations;
- The plantation area on Lot 137 has been reduced from 44ha to 32.63ha while an additional plantation area of 10.7ha on Lot 83 has been added to the application;
- The applicant has identified and acknowledged that there are sensitive land uses occurring on nearby Lots 85 (Nannup Brook Farm), 74 (Nannup Valley Chalets), 42 (Nannup Tiger Cottages) and 84 East Nannup Rd. These stakeholders will be consulted and notified of any scheduled plantation operations including spraying;
- The applicant has noted that while road and firebreak maintenance is the responsibility of the property owner, the condition of both will be assessed by FPC annually to ensure conformation with the Shire of Nannup Firebreak Notice;
- The Fire Management Plan has been updated to include contact details for owners of properties identified as having sensitive uses and local fire agency details have been expanded;
- The applicant has identified an additional water point to be upgraded at FPC's expense to provide water for firefighting uses during summer;
- The applicant has noted there is a significant powerline crossing Lot 137 and has advised that an easement of 40m either side of the powerline will be left unplanted to help protect this infrastructure;
- The applicant has advised that FPC will harvest all available product to reduce the amount of residue, and therefore the fuel load, left on site at the completion of harvesting, and will work in conjunction with local brigades to assist in any burning off around the plantation;
- The FPC *Guidelines for Applying Operation Restrictions Due to Predicted High Fire Danger* have been included as additional information to the Fire Management Plan;

- The FPC *Contractor Procedure F1 Fire Requirements* has been included as additional information to the Fire Management Plan;
- The FPC *Burn Prescription Procedure* has been added as additional information to the Fire Management Plan; and
- The applicant has advised that all roads will be maintained during and after harvesting operations, and that all roads will be left in a state the same, or better than, prior to the commencement of the operations.

It is suggested that if the plantation is suitably managed and planning conditions are met, that environmental considerations, bushfire management and response, and impact on the Shire road system can be appropriately addressed.

B) Length of development approval

The applicant estimates the project life will be approximately 30 years. It is recommended that the development approval be issued for a single rotation rather than an 'opened ended' approval period. Should FPC or any other applicant wish to replant the plantation area following final clear fell, they will be required to submit a new development application prior to beginning any works.

C) Developer contributions

Contributions are typically sought by Council for development applications for timber plantations. As per LPP020 Section 7, the applicant will need to ensure that the Shire managed roads in and around the plantation area are in a condition post-development that is at least the same condition as pre-development. To achieve this, development conditions will include a system of notification, inspection and post-development repair of the roads to the Shire's satisfaction.

D) On-going bushfire management and response

As per LPP021, the applicant will need to address on-going bushfire management and response. This includes maintaining firebreaks in accordance with the requirements of the Annual Firebreak Notice issued by the Shire of Nannup under the *Bushfires Act 1954*, maintaining permanent onsite water resources, maintaining existing access roads and undertaking measures to protect public utilities via appropriately maintained easements. The applicant has provided a Fire Management Plan which is consistent with LPP021 Section 10.

While noting the above, the Council is able to refuse the Development Application if it believes it has planning grounds to do so. As Councillors are aware, the applicant has the ability to lodge a Right of Review (previously called an "appeal") to the State Administrative Tribunal should the Council refuse the Development Application.

Finally, it is suggested that the Shire administration draft a local planning policy on tree plantations to provide guidance to the Council in its decision making. The Council would not be bound by the policy but would be required to have regard to the policy in determining future Development Applications.

STATUTORY ENVIRONMENT:

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

POLICY IMPLICATIONS:

Local Planning Policies LPP020 and LPP021 are non-statutory documents which are designed to provide guidance to assist the Council in its decision making. Accordingly, the Council is not bound by the policies but is required to have regards to the policies in determining the Development Application.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS:

The proposed tree plantation is consistent with aims of the endorsed Shire of Nannup Local Planning Strategy and draft Local Planning Strategy.

RECOMMENDATION:

That Council approve the Development Application for an 87 hectare pinus radiata tree plantation at Lot 137 on DP246151 (Lindsay Rd), Lot 83 on D23898 (East Nannup Rd) and Lot 86 on D99143 (East Nannup Rd), East Nannup, subject to the following conditions:

1. The development hereby approved must be carried out generally in accordance with the plans and specifications submitted with the application and these shall not be altered and / or modified without the prior knowledge and written consent of the Shire.
2. This development approval shall lapse and be of no further effect if the plantation development hereby permitted has not been substantially commenced within 24 months of the date hereof. Where the Development Approval has lapsed, no further development is to be carried out.

3. This development approval is for a single rotation only. The applicant will be required to submit a new development application prior to beginning any replanting of the plantation area.
4. A separate 'Harvesting Plan' is to be prepared in accordance with the latest 'Code of Practice for Timber Plantations' (or equivalent that is applicable at that time) and submitted to and approved by the Shire prior to the anticipated commencement of harvesting so that the proposed access haulage routes may be inspected by both parties.
5. Fire management measures outlined in the application shall be implemented in accordance with the submitted plan and accompanying details are required to meet the performance standards in the 'Guidelines for Plantation Fire Protection' document published by the Department of Fire and Emergency Services.
6. The installation and maintenance of firebreaks and low fuel zones are to be carried out around all boundaries and buildings on the subject properties, in accordance with the requirements of the Annual Firebreak Notice issued by the Shire of Nannup under the Bushfires Act 1954.
7. A minimum of 12 months prior to any anticipated commercial harvesting occurring, the Plantation Operator/Manager shall notify the Shire so that the proposed access/haulage routes may be inspected by both parties.

Advice Notes:

- A. With reference to Condition 4, the Shire will require the Plantation Operator/Manager to reimburse the cost of any road repairs that become necessary as a result of wear and other damage to the local road network caused by heavy haulage vehicles associated with the transport of harvested plantation trees. The Shire will undertake an audit of the local road system proposed to be used for log transport prior to, and following, plantation harvesting so as to ascertain any remedial works required (and funds recoupable).
- B. Cultivation of land, spraying of pesticides or herbicides, or the application of nitrogenous fertilisers is not recommended within 30 metres of any stream. This provision does not preclude the carrying out of weed control in accordance with Department of Primary Industries and Regional Development recommendations or standard practices.
- C. With reference to Condition 2, complete preparation of the site and majority of total approved plant out would satisfy the requirements of 'substantial commencement'.

- D. The attention of the Plantation Operator/Manager is drawn to the need to comply with the requirements of any 'Firebreak Notice' issued by the Shire of Nannup under the *Bush Fires Act 1954*. Furthermore, the Plantation Operator/Manager is required to advise the Shire's Chief Bush Fire Control Officer of any commercial harvesting activities that may be proposed during restricted or prohibited burning seasons.
- E. Clearing of native vegetation in Western Australia is prohibited unless the clearing is authorised by a clearing permit issued by the Department of Water and Environmental Regulation or is of a kind that is exempt in accordance with Schedule 6 of the Environmental Protection Act 1986 or the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.
- F. If the applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

VOTING REQUIREMENTS: Simple Majority

17136 MELLEMA/GILBERT

That Council approve the Development Application for an 87 hectare pinus radiata tree plantation at Lot 137 on DP246151 (Lindsay Rd), Lot 83 on D23898 (East Nannup Rd) and Lot 86 on D99143 (East Nannup Rd), East Nannup, subject to the following conditions:

- 1. The development hereby approved must be carried out generally in accordance with the plans and specifications submitted with the application and these shall not be altered and / or modified without the prior knowledge and written consent of the Shire.***
- 2. This development approval shall lapse and be of no further effect if the plantation development hereby permitted has not been substantially commenced within 24 months of the date hereof. Where the Development Approval has lapsed, no further development is to be carried out.***
- 3. This development approval is for a single rotation only. The applicant will be required to submit a new development application prior to beginning any replanting of the plantation area.***

- 4. A separate 'Harvesting Plan' is to be prepared in accordance with the latest 'Code of Practice for Timber Plantations' (or equivalent that is applicable at that time) and submitted to and approved by the Shire prior to the anticipated commencement of harvesting so that the proposed access haulage routes may be inspected by both parties.**
- 5. Fire management measures outlined in the application shall be implemented in accordance with the submitted plan and accompanying details are required to meet the performance standards in the 'Guidelines for Plantation Fire Protection' document published by the Department of Fire and Emergency Services.**
- 6. The installation and maintenance of firebreaks and low fuel zones are to be carried out around all boundaries and buildings on the subject properties, in accordance with the requirements of the Annual Firebreak Notice issued by the Shire of Nannup under the Bushfires Act 1954.**
- 7. A minimum of 12 months prior to any anticipated commercial harvesting occurring, the Plantation Operator/Manager shall notify the Shire so that the proposed access/haulage routes may be inspected by both parties.**

Advice Notes:

- A. With reference to Condition 4, the Shire will require the Plantation Operator/Manager to reimburse the cost of any road repairs that become necessary as a result of wear and other damage to the local road network caused by heavy haulage vehicles associated with the transport of harvested plantation trees. The Shire will undertake an audit of the local road system proposed to be used for log transport prior to, and following, plantation harvesting so as to ascertain any remedial works required (and funds recoupable).**
- B. Cultivation of land, spraying of pesticides or herbicides, or the application of nitrogenous fertilisers is not recommended within 30 metres of any stream. This provision does not preclude the carrying out of weed control in accordance with Department of Primary Industries and Regional Development recommendations or standard practices.**
- C. With reference to Condition 2, complete preparation of the site and majority of total approved plant out would satisfy the requirements of 'substantial commencement'.**

- D. The attention of the Plantation Operator/Manager is drawn to the need to comply with the requirements of any 'Firebreak Notice' issued by the Shire of Nannup under the Bush Fires Act 1954. Furthermore, the Plantation Operator/Manager is required to advise the Shire's Chief Bush Fire Control Officer of any commercial harvesting activities that may be proposed during restricted or prohibited burning seasons.***
- E. Clearing of native vegetation in Western Australia is prohibited unless the clearing is authorised by a clearing permit issued by the Department of Water and Environmental Regulation or is of a kind that is exempt in accordance with Schedule 6 of the Environmental Protection Act 1986 or the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.***
- F. If the applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.***

CARRIED (5/0)

Cr Fraser returned to the Chamber at 5.25pm.

AGENDA NUMBER:	12.4
SUBJECT:	Preparation of Local Planning Scheme No.4
LOCATION/ADDRESS:	All of district
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	TPL 1
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	12 June 2017
PREVIOUS MEETING REFERENCE:	None
ATTACHMENTS:	12.4.1 – Scheme Map Area - Shire of Nannup Municipal Boundaries

BACKGROUND:

The purpose of this report is to seek Council support to formally commence the process of preparing a new Local Planning Scheme.

The current Shire of Nannup Local Planning Scheme No. 3 (LPS3) was gazetted on 14 December 2007. In accordance with the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), the Shire of Nannup is required to review its Local Planning Scheme every 5 years.

In addition, with the commencement of the Regulations on 19th October 2015, all local governments with local planning schemes gazetted before 18th October 2010 are required to review their scheme to determine if it is up-to-date and complies with the Regulations or to commence a scheme review before 19th October 2017. Accordingly, there is a statutory requirement to either review LPS3 or prepare a new Local Planning Scheme No. 4 (LPS4). Components of LPS3 are not-up-date and various sections do not comply with the Regulations. As outlined below, preparation of LPS4 is considered to achieve a far better, more effective and more efficient outcome than major amendments to LPS3.

In time, on gazettal (finalisation) of LPS4, LPS3 will be revoked.

A Local Planning Scheme is a statutory document that controls and guides land use, development and subdivision. It does this through zoning and reserving land along with other measures. A scheme comprises text and maps.

At its meeting of 27th April 2017, Council resolved to support the modified draft Shire of Nannup Local Planning Strategy (LPS). The modified draft LPS has been referred to the Western Australian Planning Commission (WAPC) for final endorsement in accordance with Regulation 14(3) of the Regulations and is currently being considered by the WAPC for endorsement.

In time, following endorsement of the new LPS by the WAPC, the current LPS will be revoked.

A key component of implementing the LPS is through the local government's Local Planning Scheme. The LPS outlines that LPS3 will be replaced by LPS4. Previously, as part of reviewing and formulating the draft LPS, the Council had supported the preparation of LPS4 given the LPS proposed a number of changes to LPS3 including new zones, special control areas and other provisions. The preparation of LPS4 presents a significant opportunity to achieve effective implementation of the updated LPS and to address the wide-ranging changes introduced by the Regulations.

COMMENT:

It is suggested that Council resolve to formally commence the process of preparing LPS4. The process for preparing a new scheme takes time, with considerable parts of the process dependant on other agencies.

The purpose of proposed LPS4 is to modernise the statutory planning controls within the municipality, reflect current best practice with regard to land use planning and provide guidance for the future development of the municipality. It is expected that the purposes and aims of draft LPS4 will closely reflect what the Council recently resolved for Scheme Amendment No. 19 (omnibus text amendment). The purposes and aims of current LPS3, as updated by Scheme Amendment No. 19, are outlined below:

Purposes of Scheme

The purposes of the Scheme are to:

- (a) set out the local government's planning aims and intentions for the Scheme Area;
- (b) specify the local government's clear development and environmental objectives for the Scheme Area;
- (c) set aside land as reserves for public purposes;
- (d) zone land within the Scheme Area for the purposes defined in the Scheme;
- (e) control and guide land use and development;
- (f) set out procedures for the assessment and determination of planning development applications;
- (g) make provision for the administration and enforcement of the Scheme; and
- (h) address other matters contained in the First Schedule to the *Town Planning Act*.

Aims of the Scheme

1. The local government's general aim is to recognise the unique qualities and characteristics of the Scheme Area and safeguard its natural resources, whilst promoting sustainable development through diversified residential, commercial, industrial, agricultural, timber, tourist and resource based activities.
2. The local government's general intentions are:
 - (a) To ensure there is sufficient supply of serviced and suitable land for housing, commercial activities, community facilities, recreation and open space.
 - (b) To assist employment and economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment and tourist development, as well as providing opportunities for home-based employment.
 - (c) To promote the sustainable use of rural land for agricultural purposes whilst accommodating other rural activities.
 - (d) To manage the use and development of land by means of zoning and development controls to achieve compatibility between land uses, and the preservation, and where possible the enhancement of visual amenity of urban and rural uses.

- (e) To protect and enhance the environmental values and natural resources of the Shire and to promote ecologically sustainable land use and development.
- (f) To safeguard and enhance the character and amenity of the built and natural environment of the Scheme Area.
- (g) To ensure that existing and future residents enjoy a range of attractive living environments and have access to the widest possible range of services and amenities.
- (h) To recognise and protect places of natural beauty, historic interest and scientific interest that are considered to be important to the heritage of the Shire.
- (i) To assist in the effective implementation of regional plans, strategies and policies.
- (j) To make provision for other matters authorised by the Act.

Preliminary List of Issues and Considerations

Outlined below is a preliminary list of issues, which are not intended to be exhaustive, that are expected to be considered in the preparation of LPS4:

- introducing new zones e.g. Rural Smallholdings and Environmental Conservation;
- deleting the Special Residential, Mixed Use and Cluster Farming zones;
- renaming various zones;
- adding Special Control Areas including around the wastewater treatment plant and a special design/character area;
- modifying residential densities as broadly set by the LPS;
- reducing duplication of provisions (such as for individual Special Rural zones);
- seeking to address various anomalies in LPS3;
- reviewing permissibility of uses in different zones;
- introducing provisions relating to natural resource management and design; and
- addressing the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Next Steps

Should the Council resolve to prepare LPS4, the Regulations set out the required next steps.

The Shire will advertise the resolution for a period of 21 days. Following the close of the advertising period, the Shire administration will draft documentation and arrange mapping for consideration by the Council over the coming months. It is expected there will be a number of briefings and meetings to work through issues. Following the draft LPS4 being suitably progressed, the Shire administration will report to Council seeking approval to proceed with draft LPS4.

Should the Council resolve to proceed, the Environmental Protection Authority (EPA) will assess draft LPS4 and it will be forwarded to the WAPC for consent to advertise.

If the EPA issues “environmental clearance” and the WAPC grants consent to publicly advertise, the Shire will then publicly advertise draft LPS4 for a minimum of 90 days.

STATUTORY ENVIRONMENT:

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

The Regulations set out the statutory process in preparing and advertising a Local Planning Scheme. At this initial stage of preparing draft LPS4, Part 4, Division 1, Regulations 19(1) and 20 of the Regulations apply:

“19. Resolution to prepare or adopt scheme

- 1) *A resolution of a local government to prepare or adopt a local planning scheme must be in a form approved by the Commission.”*

“20. Notification of resolution

- 1) *A local government must, as soon as is reasonably practicable after passing a resolution to prepare or adopt a local planning scheme, advertise the resolution as follows -*
 - (a) *publish a notice in a form approved by the Commission in a newspaper circulating in the district of the local government;*
 - (b) *provide a copy of the published notice to the following persons or bodies for recommendations -*
 - i) *the local government of each district that adjoins the local government district;*
 - ii) *each licensee under the Water Services Act 2012 likely to be affected by the scheme;*
 - iii) *the chief executive officer of the department of the Public Service principally assisting in the administration of the Conservation and Land Management Act 1984;*
 - iv) *each other public authority likely to be affected by the scheme.*
- 2) *A local government must, on the provision of the published notice to a person or body referred to in subregulation (1)(b), request the person or body to provide to the local government within 21 days or such longer period as the local government allows, a memorandum in writing setting out any recommendations in respect of the resolution.*

- 3) *If a person or body does not provide a memorandum within the time allowed under subregulation (2), the local government may determine that the person or body is to be taken to have no recommendations to make in respect of the resolution.”*

POLICY IMPLICATIONS:

These are summarised in this report. Finalisation of LPS4 will increase certainty for everyone with an interest in the matters raised and should assist in more consistent decision making.

FINANCIAL IMPLICATIONS:

The Shire administration will work with Edge Planning & Property to prepare the LPS4 text with mapping prepared by the Department of Planning.

Given there are always unknowns for these types of projects, it is estimated that the cost to the Shire in the preparation of documents will be approximately \$13,000 + GST to the stage of seeking Council adoption (initiation).

The Shire will also be required to meet the cost of advertising draft LPS4 including placing notices in local papers and in the Government Gazette.

STRATEGIC IMPLICATIONS:

LPS3 was gazetted on 14 December 2007 and a review is due to be commenced by 19th October 2017. It is considered that initiation of this process will enable the rationalisation of zoning and land use within the municipality whilst employing contemporary planning standards.

LPS4, if gazetted, will assist:

- in coordinating the provision of infrastructure and services;
- in more orderly, planned and sustainable development;
- the decision-making of the Council, the Shire administration and other authorities/agencies;
- the Council in its planning, the Shire with its service delivery and will provide increased certainty for other stakeholders;
- to provide a framework for more detailed planning at the structure plan, scheme amendment, subdivision and development stages;
- to inform landowners and developers/subdividers of Council requirements; and
- to raise community/stakeholder awareness.

RECOMMENDATION:

That Council resolves to:

1. Pursuant to Section 72 of the *Planning and Development Act 2005*, request the Chief Executive Officer to prepare a new Local Planning Scheme No. 4, which will cover the entire Local Government district, and as shown as the Scheme Map Area in Attachment 12.4.1, and upon gazettal revokes Local Planning Scheme No. 3.
2. Pursuant to Section 72 of the *Planning and Development Act 2005* and Regulations 19 and 20 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, request the Chief Executive Officer to forward to the Western Australian Planning Commission:
 - a) A copy of Council's resolution deciding to prepare a new Local Planning Scheme No. 4, certified by the Chief Executive Officer.
 - b) A map marked 'Scheme Map Area' signed by the Chief Executive Officer, on which is delineated the area of land proposed to be included in the Scheme.
3. Subject to receiving notification from the Western Planning Commission pursuant to Regulations 19 and 20 of the *Planning and Development (Local Planning Schemes) Regulations 2015* request the Chief Executive Officer to:
 - a) Publish a notice within a newspaper circulating in the district of the Local Government of the passing of the resolution deciding to prepare Local Planning Scheme No. 4.
 - b) Forward a copy of the notice to the Local Government of every adjoining district, each licensee under the *Water Services Act 2012* likely to be affected by the Scheme, the CEO of the Department of the Public Service principally assisting in the administration of the *Conservation and Land Management Act 1984* and each public authority likely to be affected by the Scheme for their recommendations in regards to preparation of the new Local Planning Scheme No. 4.
 - c) Pursuant to Section 81 of the *Planning and Development Act 2005*, forward a copy of the notice to the Environmental Protection Authority.

VOTING REQUIREMENTS: Simple Majority

17137 MELLEMA/GILBERT

That Council resolves to:

- 1. Pursuant to Section 72 of the Planning and Development Act 2005, request the Chief Executive Officer to prepare a new Local Planning Scheme No. 4, which will cover the entire Local Government district, and as shown as the Scheme Map Area in Attachment 12.4.1, and upon gazettal revokes Local Planning Scheme No. 3.***
- 2. Pursuant to Section 72 of the Planning and Development Act 2005 and Regulations 19 and 20 of the Planning and Development (Local Planning Schemes) Regulations 2015, request the Chief Executive Officer to forward to the Western Australian Planning Commission:***
 - c) A copy of Council's resolution deciding to prepare a new Local Planning Scheme No. 4, certified by the Chief Executive Officer.***
 - d) A map marked 'Scheme Map Area' signed by the Chief Executive Officer, on which is delineated the area of land proposed to be included in the Scheme.***
- 3. Subject to receiving notification from the Western Planning Commission pursuant to Regulations 19 and 20 of the Planning and Development (Local Planning Schemes) Regulations 2015 request the Chief Executive Officer to:***
 - d) Publish a notice within a newspaper circulating in the district of the Local Government of the passing of the resolution deciding to prepare Local Planning Scheme No. 4.***
 - e) Forward a copy of the notice to the Local Government of every adjoining district, each licensee under the Water Services Act 2012 likely to be affected by the Scheme, the CEO of the Department of the Public Service principally assisting in the administration of the Conservation and Land Management Act 1984 and each public authority likely to be affected by the Scheme for their recommendations in regards to preparation of the new Local Planning Scheme No. 4.***

Pursuant to Section 81 of the Planning and Development Act 2005, forward a copy of the notice to the Environmental Protection Authority.

CARRIED (6/0)

AGENDA NUMBER:	12.5
SUBJECT:	Development Application – Proposed shop, office, clock tower and visitors’ centre
LOCATION/ADDRESS:	Lot 500 Forrest Street (cnr Warren Road), Nannup
NAME OF APPLICANT:	Paul Meschiati & Associates Pty Ltd
FILE REFERENCE:	A640
AUTHOR:	Jane Buckland (Development Services Officer) and Steve Thompson (Consultant Planner)
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil for Mrs Buckland. Edge Planning & Property receive payment for planning advice to the Shire and declare a Financial Interest (section 5.70 of the <i>Local Government Act 1995</i>)
DATE OF REPORT	20 July 2017
PREVIOUS MEETING REFERENCE:	None
ATTACHMENT:	12.5.1 – Location Map 12.5.2 – Original plans and information from applicant 12.5.3 – Submissions 12.5.4 – Modified plans from applicant and applicant’s response to submissions 12.5.5 – Planning framework extract from key documents

BACKGROUND:

This item is presented to Council given the application site is situated on a high-profile location in the town centre and the proposal is to create a ‘landmark’ building that extends part of the upper floor of the building into the Forrest Street reserve. Other than some verandahs of commercial buildings extending into the Warren Road reserve in the town centre, this is first occasion in which the Shire has been asked to consider approving a permanent building (upper floor) located within a road reserve.

Paul Meschiati and Associates Pty Ltd have lodged a Development Application, on behalf of Heather Walford and Robert Marshall, for a proposed commercial complex comprising a shop, office, clock tower and visitors’ centre to be located at Lot 500 Forrest Street (corner of Warren Road), Nannup as shown in Attachment 12.5.1. Attachment 12.5.2 outlines the original details provided by the applicant which were the plans subject to public consultation.

There are currently two shops (A Taste of Nannup and Pickle & O) and a residence on the property, all of which are intended to be retained.

Consultation

The Shire administration undertook extensive consultation through inviting public comment on the Development Application for a period of 42 days by writing to 47 adjoining/nearby landowners and 4 other stakeholders, placing details on the Shire website and having details at the Shire office.

The Shire received 14 submissions on the Development Application as outlined in Attachment 12.5.3. In summary:

- 11 submissions were supportive of the proposed development or raised no objections, which including from the Department of Planning, Lands and Heritage (DPLH) and Main Roads Western Australia (MRWA);
- 3 submissions were supportive of the wooden clock remaining in Nannup and being on public display however they raised issues with the amount and type of vehicle parking being proposed, particularly with regards to tour buses; and
- 2 submissions raised concerns over the location of the clock tower being so near to the corner of Forrest Street and Warren Road. The submissions suggested that the location of part of the clock tower in the road reserve would create a hazard for both traffic and pedestrians.

The DPLH advised that they would prefer to see the development contained within the boundaries of Lot 500, however they noted that the proposed design provided cover for pedestrians along both Warren Road and Forrest Street. The DPLH also noted that a form of tenure would be required to deal with the encroachment of the clock tower into a road reserve.

MRWA initially objected to the Development Application given the building extended into the Warren Road reserve (part of the highway system managed by MRWA). Following the applicant's redesign, outlined below, MRWA now have no objections to the revised plans given the building no longer extends into the Warren Road reserve.

Revised plans

In accordance with established practice, the Shire administration has liaised with the applicant since the receipt of submissions. The applicant has in turn provided their response to the issues raised and a revised design for the building which is shown in Attachment 12.5.4. **The revised plans replace the original plans. The revised plans, set out in Attachment 12.5.4, are the plans being assessed in this report by the Shire administration and the Council.**

Planning framework

The site is zoned 'Town Centre' and is within a Heritage Area under the *Shire of Nannup Local Planning Scheme No.3 (LPS3)*. The site is also located in the *Nannup Main Street Heritage Precinct (Local Planning Policy LPP008)*. Other key planning documents related to the proposal include the *Shire of Nannup Local Planning Strategy, Draft Shire of Nannup Local Planning Strategy* and *Local Planning Policy No.13 Car Parking and Vehicular Access (LPP013)*.

LPP008 (Attachment 12.5.5) states that:

“All new development and redevelopment within the Nannup Main Street Heritage Area should contribute positively to the recognised heritage values and established townscape quality of Nannup’s main street.

The Council requires that all proposals for new development and additions to existing development within the Heritage Area shall:

- add to the range of services and facilities available to the town residents and its visitors;
- ensure through appropriate design that the strong “Garden Village” character, and “working timber town” identity/role of the town is preserved, particularly in regard to development size, form, height and scale;
- be compatible with existing development, particularly in regard to building materials, shop front design, front setbacks, the use of colour, the application of advertising signage and the location and form of fencing;
- enhance the existing overall visual appearance of the Heritage Area;
- improve the provision of weather protection for pedestrians; and
- build upon the existing strong sense of community, and improve the economic viability of the town.”

The site is designated as a bushfire prone area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>. The land is located outside of the Blackwood River floodplain, although minimum floor levels apply to development for land outside of the floodplain.

Attachment 12.5.5 sets out the planning framework which is an extract from LPS3, LPP008 and LPP013.

COMMENT:

A) Overview

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

is accordingly recommended that Council conditionally approve the Development Application (based on the revised plans outlined in Attachment 12.5.4) given:

- the proposed development, incorporating the clock, will assist to activate the northern section of the main street, providing a further point of interest for visitors and locals alike;
- it has the potential to draw visitors to Nannup which supports local businesses;
- it will provide an enhanced and purpose built visitor centre;
- the design is considered sympathetic to the heritage values of the town centre;
- the reasons put forward by the applicant in Attachment 12.5.2;
- key State Government agencies have not identified any fatal flaws with the proposal;
- the extensive community consultation undertaken, there is overall community support or acceptance of the proposal;
- there are no objections from other Shire officers; and
- development conditions can assist to reduce risks associated with a part of the upper storey extending into the Forrest Street reserve along with controlling the appearance, use and management of the development.

B) Key issues

While noting the above, the key issues with the application are outlined below.

Design

As outlined above, the design is considered sympathetic to the heritage values of the Nannup main street heritage precinct and is consistent with Nannup's 'garden village' character. Given the site's high profile location, it is suggested the design will enhance the town centre. Other supported design elements include:

- the second storey development, on a key corner site in the town centre, is expected to become a landmark feature which assists to showcase the clock;
- it creates another local attraction, centrally located, that is consistent with Nannup's village garden theme;
- the building form is consistent with LPP008 which has an emphasis of new buildings being vertical or compact, rather than wide, low buildings;
- the materials and design, through painted weatherboard, with jarrah features to the clock tower supports and Colourbond roofing are consistent with LPP008;
- LPP008 provides for two storey buildings. In order to accommodate the clock mechanism within the building, while still allowing space for the visitors' centre and shop, it is suggested that a two storey building is acceptable. The height is similar to the nearby hotel;
- the roof form is consistent with LPP008 including the use of custom orb profile sheeting and the proposed roof configuration and pitch;

- the windows and doors are proposed to be timber. The entrance doors to the lower floor will be hinged glass and not sliding. The doors and windows on the ground floor have been designed to match those of the existing shops on the property. The windows to the upstairs windows will be larger picture windows however their impact on the main street is anticipated to be minimal due to their southern aspect and the retention of the existing large trees along Forrest Street; and
- it will provide environmental comfort for customers and other members of the public.

Upper floor of building partly in Forrest Street reserve

There is now no proposal to extend part of the building into the Warren Street reserve.

The proposal is to extend part of the upper floor of the building into the Forrest Street road reserve (Attachment 12.5.4). As outlined earlier, other than some verandahs of commercial buildings extending into the Warren Road reserve in the town centre, this is first occasion in which the Shire has been asked to consider approving a permanent building (upper floor) located within a road reserve.

Based on the Shire's previous liaising with the former Department of Lands and the recent DPLH advice, there is no legal impediment to the proposal. In addition to an easement, the DPLH advise that a suitable tenure will be secured.

While noting the above, it is highlighted that the proposal does present public risk, potential liability and maintenance issues which are required to be carefully considered in assessing the Development Application. A number of recommended development conditions seek to address risk, liability and maintenance considerations. This includes a Memorandum of Understanding, the landowner holding relevant insurances and the preparation of a Deed. Additionally, at the detailed design and Building Permit stage, there is a need to address a range of matters including structural integrity and ensuring there is no impact on underground services, or access/upgrading of services.

The ground floor of the building will be contained on Lot 500 (freehold land). Accordingly, the proposal will not impede pedestrian access on either Forrest Street or Warren Road (other than during the construction phase). As part of the detailed design stage, there will be a need to address matters including opportunities to enhance pedestrian movement and crossing over Forrest Street.

Traffic impact

The proposal will generate increased traffic which could be seen by different stakeholders as either having a positive or negative impact. Positively, it means that the development is enhancing tourism and economic development in Nannup. The increased traffic can however be accommodated on the State Road (Warren Road/Vasse Highway) and local roads.

The development will not impact on vehicular sight distances/visibility at the intersection of Forrest Street/Warren Road.

As part of the detailed design stage, there will be a need to address matters including ensuring that buses can safely turn at intersections, the bus parking bay meets Australian Standards and considering opportunities for longer term bus parking in other appropriate nearby areas.

Parking

Currently, there are no formally constructed car parking bays on the site including to service the existing commercial development. This reflects the historic nature of the buildings. Accordingly, the below comments relate to car parking requirements associated with the proposed new development. Standards and guidance are set out in LPS3 and LPP013 which includes a requirement that parking bays and vehicle access be appropriately sealed and drained by the applicant/landowner.

The proposal is two bays short of the car parking standards in LPS3 (Schedule 11) based on the floor space of the shop, office and visitor centre. This assumes that no carparking is required for the clock tower mezzanine or the clock tower given its broader public benefit. As set out in Attachment 12.5.4, the applicant proposes 3 car parking bays for the commercial development and 1 bay for the residence. LPS3 requires 5 bays for the commercial development, while the *Residential Design Codes* requires at least 1 bay for the residence.

The Council has various options on car parking including:

1. accepting the application as submitted through agreeing to vary the development standards (this is permitted through the *Planning and Development (Local Planning Scheme) Regulations 2015* and LPS3 including that the site is located with the heritage area);
2. requiring the landowner to make a cash-in-lieu payment to assist the Shire to provide nearby off-site parking; or
3. requiring two additional car parking bays being provided on Lot 500 Forrest Street.

On balance, the Shire administration is supportive of Option 1 for this proposal. It is suggested there are non-standard circumstances to consider with this proposal, including its broader community benefits compared to most other commercial developments in the town centre. It is suggested the precedent will be limited given the broader community benefits.

While noting the above, it is suggested that, at times, there will be insufficient car parking bays on site and sometimes immediately adjoining the site. Accordingly, the landowner and future tenants/staff will have to manage this including encouraging tenants/staff not to use the car parking bays in peak periods. This may require parking a slight walk away from the site to enable use of on-site car parking bays by customers and clients.

In addition to the above, it is considered appropriate that the Council review street parking in the area and consider ways to provide increased car parking spaces along with enhancing the area's amenity and safety.

C) Conclusion and options

It is recommended that Council approve the Development Application (revised plans outlined in Attachment 12.5.4) subject to conditions. The Council could alternatively choose to defer making a decision on the matter and seek additional information or it may determine to refuse the Development Application.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Planning and Development (Local Planning Scheme) Regulations 2015, Land Administration Act 1997, Local Government Act 1995 and LPS3. Should the Council conditionally approve the Development Application, a range of legislation and regulations apply at the Building Permit stage to a building extending into a road reserve including the Building Act 2011, Building Regulations 2012 and Local Government (Uniform Local Provisions) Regulations 1996.

POLICY IMPLICATIONS:

Local Planning Policies LPP008 and LPP013 are non-statutory documents which are designed to provide guidance to assist the Council in its decision making. Accordingly, the Council is not bound by the policies but is required to have regard to the policies in determining the Development Application. Additionally, there are various State Planning Policies which are relevant in assessing the Development Application including *State Planning Policy 3.5 Historic Heritage Conservation*.

FINANCIAL IMPLICATIONS:

Should the Council determine the Development Application is conditionally appropriate, it is suggested the landowner is responsible for costs associated with addressing risks associated with the proposed development in part being located in a road reserve. This includes the costs of drafting legal and easement documents.

STRATEGIC IMPLICATIONS:

The proposed shop and office are consistent with aims of the endorsed *Shire of Nannup Local Planning Strategy* and the draft Local Planning Strategy while the clock tower and visitors' centre are important to the development of tourism in Nannup and the district. The clock has the potential to draw visitors to Nannup which supports local businesses and employment which is consistent with the *Shire of Nannup Community Strategic Plan 2017-2027*.

RECOMMENDATION

That Council approve the Development Application, set out in Attachment 12.5.4 (Revision C), for a commercial complex comprising a shop, office, clock tower and visitors' centre at Lot 500 on Plan 300438 Forrest Street, Nannup subject to the following conditions:

1. This approval shall expire if the development hereby approved has not been substantially commenced within a period of three (3) years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed no further development is to be carried out.
2. The development hereby approved must be carried out in accordance with the plans and documentation set out in Attachment 12.5.4, addressing all conditions, or otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.
3. The provision of one crossover to Forrest Street, with the crossover being designed, constructed (sealed or paved) and drained at the landowner's cost to the satisfaction of the local government prior to occupation of the development.
4. The vehicle access ways, vehicle manoeuvring areas and car parking spaces are designed, constructed (sealed or paved) and drained to the satisfaction of the local government prior to occupation of the development.
5. The provision of details prior to occupation as to how stormwater will be addressed for the proposed development (including stormwater from roofs, car parking and other areas) to the satisfaction of the local government. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government.
6. All stormwater and drainage run off is to be connected through a silt pit to a Shire stormwater legal point of discharge prior to occupation of the development to the satisfaction of the local government.

7. The development is connected to the reticulated water system prior to occupation of the development.
8. The development is connected to the reticulated sewer system prior to occupation of the development.
9. The roof of the building is constructed of corrugated iron or Colourbond (not tiles) with colours to be agreed by the local government.
10. The building is painted or clad in colours consistent with Local Planning Policy LPP008 – Nannup Mainstreet Heritage Precinct and to the satisfaction of the local government prior to occupation of the development. A schedule of all materials to be used on the external surfaces of the building shall be submitted to the satisfaction of the local government prior to the issue of a Building Permit.
11. No external signage is to be erected without the prior approval of the local government.
12. Rubbish bin and recycling storage areas are to be located, designed and constructed to the satisfaction of the local government prior to occupation of the development.
13. The submission of a Landscaping Plan to the satisfaction of the local government which is implemented prior to occupation of the development.
14. The planted and landscaped areas shall be maintained to the satisfaction of the local government at all times.
15. The landowner enters into a Memorandum of Understanding with the local government, to the satisfaction of the local government prior to the issue of a Building Permit, to address risks and associated matters with part of the upper floor of the building being located in the Forrest Street reserve.
16. The landowner enters into a Deed, to the satisfaction of the local government, which is finalised prior to occupation of the development. The costs of preparing and executing the Deed are at the landowner's cost.
17. The landowner meets the costs of preparing and creating an easement, to the satisfaction of the local government and the Department of Planning, Lands and Heritage, prior to occupation of the development.
18. The landowner provides evidence and maintains appropriate public liability insurance for development in the Forrest Street reserve.
19. The landowner constructs the Forrest Street footpath and the new internal footpath as shown on the submitted plans to the satisfaction of the local government provide to occupation of the development.

20. The landowner provides a suitably designed and constructed bus parking/loading bay to the satisfaction of the local government prior to occupation of the development.
21. Approval is required from the local government for the temporary closure of the Warren Street footpath and access to the verge of Forrest Street adjoining the site when construction works are being undertaken.
22. A temporary pedestrian gantry, barrier fencing and supporting props to be provided and maintained during construction to the satisfaction of the local government and then removed within 7 days of the construction being completed.
23. The floor level of the building is at least 68.45 metres AHD.

Advice

- A) This is not a Building Permit. A Building Permit must be obtained before any building works commence.
- B) The applicant/landowner is advised that the approved development must comply with all relevant provisions of the Building Act 2011 and the Building Code of Australia.
- C) In relation to Conditions 5 and 6, stormwater is to be suitably detained on site (e.g. rainwater tanks, soakwells) before connection into a Shire stormwater legal point of discharge.
- D) In relation to Condition 11, all signage is to be of a high visual quality that is sympathetic and compatible with the heritage precinct, with all sign details being submitted to the local government for approval prior to installation or modification.
- E) In relation to Condition 15, this will include addressing matters including relevant insurances and the landowner being aware of possible relocation costs of services.F) In relation to Condition 16, this will include:
 - indemnifying the Shire of Nannup in respect of any injury or other harm to any person and any damage to any property which may occur in connection with the use of the building in the Forrest Street reserve;
 - indemnifying the Shire of Nannup for any costs associated with constructing part of the upper floor of the building in the Forrest Street reserve; and
 - setting out there is a need to gain necessary approvals from servicing and other agencies.

- G) Underground telecommunication assets exist in the area that is subject to this approval. It is recommended that the applicant call '1100' for Dial Before You Dig in advance of any construction activities. Additionally, if any proposed works may impact on the assets of servicing agencies, there is a need to contact the servicing agencies in advance of any construction activities.
- H) Existing trees are encouraged to be retained where possible and practical to enhance the amenity of the site and contribute to the amenity of the town centre.
- I) If the applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

VOTING REQUIREMENTS: Simple Majority

17138 LONGMORE/GILBERT

That Council approve the Development Application, set out in Attachment 12.5.4 (Revision C), for a commercial complex comprising a shop, office, clock tower and visitors' centre at Lot 500 on Plan 300438 Forrest Street, Nannup subject to the following conditions:

- 1. This approval shall expire if the development hereby approved has not been substantially commenced within a period of three (3) years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed no further development is to be carried out.***
- 2. The development hereby approved must be carried out in accordance with the plans and documentation set out in Attachment 12.5.4, addressing all conditions, or otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.***
- 3. The provision of one crossover to Forrest Street, with the crossover being designed, constructed (sealed or paved) and drained at the landowner's cost to the satisfaction of the local government prior to occupation of the development.***
- 4. The vehicle access ways, vehicle manoeuvring areas and car parking spaces are designed, constructed (sealed or paved) and drained to the satisfaction of the local government prior to occupation of the development.***

5. *The provision of details prior to occupation as to how stormwater will be addressed for the proposed development (including stormwater from roofs, car parking and other areas) to the satisfaction of the local government. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government.*
6. *All stormwater and drainage run off is to be connected through a silt pit to a Shire stormwater legal point of discharge prior to occupation of the development to the satisfaction of the local government.*
7. *The development is connected to the reticulated water system prior to occupation of the development.*
8. *The development is connected to the reticulated sewer system prior to occupation of the development.*
9. *The roof of the building is constructed of corrugated iron or Colourbond (not tiles) with colours to be agreed by the local government.*
10. *The building is painted or clad in colours consistent with Local Planning Policy LPP008 – Nannup Mainstreet Heritage Precinct and to the satisfaction of the local government prior to occupation of the development. A schedule of all materials to be used on the external surfaces of the building shall be submitted to the satisfaction of the local government prior to the issue of a Building Permit.*
11. *No external signage is to be erected without the prior approval of the local government.*
12. *Rubbish bin and recycling storage areas are to be located, designed and constructed to the satisfaction of the local government prior to occupation of the development.*
13. *The submission of a Landscaping Plan to the satisfaction of the local government which is implemented prior to occupation of the development.*
14. *The planted and landscaped areas shall be maintained to the satisfaction of the local government at all times.*
15. *The landowner enters into a Memorandum of Understanding with the local government, to the satisfaction of the local government prior to the issue of a Building Permit, to address risks and associated matters with part of the upper floor of the building being located in the Forrest Street reserve.*

- 16. The landowner enters into a Deed, to the satisfaction of the local government, which is finalised prior to occupation of the development. The costs of preparing and executing the Deed are at the landowner's cost.**
- 17. The landowner meets the costs of preparing and creating an easement, to the satisfaction of the local government and the Department of Planning, Lands and Heritage, prior to occupation of the development.**
- 18. The landowner provides evidence and maintains appropriate public liability insurance for development in the Forrest Street reserve.**
- 19. The landowner constructs the Forrest Street footpath and the new internal footpath as shown on the submitted plans to the satisfaction of the local government provide to occupation of the development.**
- 20. The landowner provides a suitably designed and constructed bus parking/loading bay to the satisfaction of the local government prior to occupation of the development.**
- 21. Approval is required from the local government for the temporary closure of the Warren Street footpath and access to the verge of Forrest Street adjoining the site when construction works are being undertaken.**
- 22. A temporary pedestrian gantry, barrier fencing and supporting props to be provided and maintained during construction to the satisfaction of the local government and then removed within 7 days of the construction being completed.**
- 23. The floor level of the building is at least 68.45 metres AHD.**

Advice

- A) This is not a Building Permit. A Building Permit must be obtained before any building works commence.**
- B) The applicant/landowner is advised that the approved development must comply with all relevant provisions of the Building Act 2011 and the Building Code of Australia.**
- C) In relation to Conditions 5 and 6, stormwater is to be suitably detained on site (e.g. rainwater tanks, soakwells) before connection into a Shire stormwater legal point of discharge.**

- D) In relation to Condition 11, all signage is to be of a high visual quality that is sympathetic and compatible with the heritage precinct, with all sign details being submitted to the local government for approval prior to installation or modification.**
- E) In relation to Condition 15, this will include addressing matters including relevant insurances and the landowner being aware of possible relocation costs of services.**
- F) In relation to Condition 16, this will include:**
- indemnifying the Shire of Nannup in respect of any injury or other harm to any person and any damage to any property which may occur in connection with the use of the building in the Forrest Street reserve;**
 - indemnifying the Shire of Nannup for any costs associated with constructing part of the upper floor of the building in the Forrest Street reserve; and**
 - setting out there is a need to gain necessary approvals from servicing and other agencies.**
- G) Underground telecommunication assets exist in the area that is subject to this approval. It is recommended that the applicant call '1100' for Dial Before You Dig in advance of any construction activities. Additionally, if any proposed works may impact on the assets of servicing agencies, there is a need to contact the servicing agencies in advance of any construction activities.**
- H) Existing trees are encouraged to be retained where possible and practical to enhance the amenity of the site and contribute to the amenity of the town centre.**
- I) If the applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.**

CARRIED (6/0)

AGENDA NUMBER:	12.6
SUBJECT:	Acceptance of Grant – Home Maintenance Grant
LOCATION/ADDRESS:	Shire of Nannup Offices - Adam Street
NAME OF APPLICANT:	Western Australian Local Government Grant
FILE REFERENCE:	FNC 6
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	18 July 2017
ATTACHMENTS:	12.6.1 - Grant Agreement

BACKGROUND:

Funding acknowledgement has been received of \$17,486 from the Department for Communities through their Age Friendly Communities Grant program. As this funding is over \$10,000, Council is required to accept the funding as per Council policy FNC 6.

This is a partnership project between the Shire of Nannup, Nannup Community Care and the Nannup Men’s Shed, for a period of twelve months.

COMMENT:

This project is a home maintenance program for seniors in need who reside in the Nannup shire. Through consultation the parameters of the program will include but are not limited to: home maintenance, gardening, fire preparedness, changing smoke detectors, fitting personal care alarm systems, chopping or providing firewood and cleaning windows.

This is an action in Council’s Age Friendly Communities Plan 2011.

Due to delays with the State Government election and subsequent moratorium on grants there was required for the grant agreement to be signed and returned within a two day turnaround to the WA Local Government Authority by the 30th June.

The grant agreement has been signed and returned and this agenda item completes the governance requirements for accepting the grant.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS:

FNC 6 Acceptance of Grant funds.

FINANCIAL IMPLICATIONS:

In kind support of office space 4 hours per week.

STRATEGIC IMPLICATIONS:

The Shire of Nannup Community Strategic Plan 2017- 2027

1.2 Our Aged: We respect and value our aged: *Provide an aged friendly environment*

Shire of Nannup Age Friendly Communities Plan: Outcome 2: *Initiate home maintenance program with FESA and service clubs, and Investigate garden maintenance program.*

RECOMMENDATION:

That Council endorse the actions of the Chief Executive Officer in accepting the Home Maintenance Program grant of \$17,486 from the Department of Communities.

VOTING REQUIREMENTS: Simple Majority

17139 MELLEMA/DEAN

That Council endorse the actions of the Chief Executive Officer in accepting the Home Maintenance Program grant of \$17,486 from the Department of Communities.

CARRIED (6/0)

AGENDA NUMBER:	12.7
SUBJECT:	Department of Sport & Recreation CSRFF Grant
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	Louise Stokes
FILE REFERENCE:	FNC 60
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	17 July 2017
ATTACHMENTS:	12.7.1 - Grant Application

BACKGROUND:

Funding is available through the Department of Sport & Recreation’s Community Sport & Recreation Facilities Fund (CSRFF) for projects with a total value of \$200,000 or less. Funding under the CSRFF will cover one third of the cost of the project.

The grant application process requires that Council endorses this application prior to submitting to the Department of Sport & Recreation.

This application is to complete the upgrade of the existing toilets and change rooms in the Nannup Recreation Centre.

COMMENT:

This project has previously been endorsed by Council, however did not proceed to the Department. There is no change in the project details; the costing is now more accurate.

Council in its 2017-2027 Strategic Planning process indicated this project as a high priority as part of the continued upgrade of the Nannup Recreation Centre precinct.

The project has been quoted at \$187,499 exclusive GST with a CSRFF grant contribution request of \$62,499 GST exclusive. This project would be tendered prior to construction.

STATUTORY ENVIRONMENT: Nil.

POLICY AND CONSULTATION IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

Balance of funds available in Council Asset Management Reserve Fund.

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Council endorse the submission of the Shire of Nannup Recreation Centre toilet and change room upgrade project to the Department of Sport & Recreation through the current CSRFF funding round.

VOTING REQUIREMENTS: Simple Majority

17140 STEER/FRASER

That Council endorse the submission of the Shire of Nannup Recreation Centre toilet and change room upgrade project to the Department of Sport & Recreation through the current CSRFF funding round.

CARRIED (6/0)

AGENDA NUMBER:	12.8
SUBJECT:	Acceptance of Grant – Riverside Trail Project
LOCATION/ADDRESS:	Shire of Nannup Offices – Adam Street
NAME OF APPLICANT:	Western Australian Local Government Grant
FILE REFERENCE:	FNC 60
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 July 2017
ATTACHMENTS:	12.8.1 - Grant Acceptance Letter

BACKGROUND:

Funding acknowledgement has been received of \$134,748.00 from Lotterywest through their Trails program to upgrade and extend the Riverside Trail. As this funding is over \$10,000, Council is required to accept the funding as per Council policy FNC 6.

The total value of the project is \$179,941.00.

COMMENT:

The Riverside Trail commences at the Balingup Rd Caravan Park and currently finishes at Kearney St. The plan is to:

- Demolish and remove all existing signage that is damaged and no longer relevant to the project,
- Prepare drawings of the boardwalks and stairs,
- Establish trail heads at each end of the trail and one at the Old Railway Bridge,
- Establish four canoe drop in points along the river,
- Install post & rail fencing at the Old Railway Bridge to address risk management issues,
- Construct boardwalks over billabongs where the gap between the river and billabong is too narrow to construct a trail (approximately 70 metres in total),
- Install two picnic tables along the trail,
- Undertake construction of an additional 1.8kms to conclude the trail near Ford Rd,
- Design and create a promotional DL flyer on the 11 trails in the town and immediate surrounds,
- Design, manufacture and install cultural and environmental interpretive signage along the trail, and
- Design and install trail markers.

Bunbury Corrective Services will assist with the demolition and construction components of the project.

Correspondence with the Department of Aboriginal Affairs and the Department of Water has been undertaken and no further approvals are required.

To comply with Council's governance requirements, some elements of the project will seek two quotes for works prior to commencement.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS:

FNC 6 Acceptance of Grant funds.

FINANCIAL IMPLICATIONS:

\$10,000 from Trails budget 2017/18

STRATEGIC IMPLICATIONS:

The Shire of Nannup Community Strategic Plan 2017 – 2027.

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

4.3 Our Natural Environment: Our sustainable future: To achieve a green, clean future: *Improve bike and pedestrian friendly path network.*

RECOMMENDATION:

That Council accept the Lotterywest grant of \$134,748 for the Riverside Trail Project.

VOTING REQUIREMENTS: Simple Majority

17141 LONGMORE/MELLEMA

That Council accept the Lotterywest grant of \$134,748 for the Riverside Trail Project.

CARRIED (6/0)

AGENDA NUMBER:	12.9
SUBJECT:	Economic Development Strategy
LOCATION/ADDRESS:	Shire of Nannup Offices – Adam Street
NAME OF APPLICANT:	Western Australian Local Government Grant
FILE REFERENCE:	ADM 38
AUTHOR:	Louise Stokes – Economic & Community Development Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	18 July 2017
ATTACHMENTS:	12.9.1 - Draft Shire of Nannup Economic Development Strategy 12.9.2 - Participant Feedback

BACKGROUND:

A workshop was hosted on May 8th with business and industry representatives to help identify opportunities, gaps and challenges for economic development in the Shire of Nannup. A strategy which incorporates responsibilities and actions, outlining how the plan can be promoted and implemented has been developed.

The draft strategy was presented to Councillors at the June Council meeting.

COMMENT:

The draft Shire of Nannup Economic Development Strategy has been circulated to participants and external agencies for comment for a period of four weeks.

Positive verbal feedback has been received; three written comments were received and are attached.

This strategy is a starting point for economic development in the region. It is not considered that economic development is sole responsibility for Council due to funding and resource restraints. This was made very clear to participants in the workshop.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS:

The Shire of Nannup Community Strategic Plan 2017- 2027

2.1 Economic Development: The Big Picture: We will have a sustainable, innovative and equitable economy: *Promote innovative ideas and value add to businesses and industry*

RECOMMENDATION:

That Council adopt the Shire of Nannup Economic Development Strategy and the recommendations contained within the strategy be implemented as funding and resources become available.

VOTING REQUIREMENTS: Simple Majority

17142 MELLEMA/STEER

That Council adopt the Shire of Nannup Economic Development Strategy and the recommendations contained within the strategy be implemented as funding and resources become available.

CARRIED (6/0)

AGENDA NUMBER:	12.10
SUBJECT:	Commodity Routes Funding Application
LOCATION/ADDRESS:	Shire of Nannup – Governor Broome Road and Jangardup Road
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WRK 01
AUTHOR:	Jonathan Jones – Manager Infrastructure
REPORTING OFFICER:	Jonathan Jones – Manager Infrastructure
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	17 July 2017
ATTACHMENT:	Nil

BACKGROUND:

The Shire of Nannup has received requests by local residents in the Scott River area to upgrade Governor Broome Road and to add this road to its Road Construction Program with the suggestion that it be widened, raised and possibly sealed to improve the transport route for agriculture commodities from the Scott River region.

Governor Broome Road is not currently scheduled or included to receive upgrade work within the existing Shire of Nannup Road Works Construction Program.

To enable upgrade works to this road the council would need to apply for other funds or change its road construction program focus.

Main Roads WA has advised of the State Road Funds to Local Government Agreement 2011/12 – 2015/16 item 5.2.3 which makes provision for a Commodity Route Supplementary Fund (CRSF). Monies applied for now would then be available in the 2018 – 2019 Financial year.

Commodity Routes are defined as routes where there is a significant high priority transport task associated with the transport of a commodity such as grain, timber, fertilizer or mined minerals.

Commodity Route Supplementary Funding will be applied to projects not eligible or prioritised for Road Project Grant (RPG) Funding. Projects that are not eligible for RPG funding will receive priority in the assessment process and will be ranked first.

Governor Broome Road is listed within the ROADS 2030 Regional Strategies and would not directly qualify for the CRSF however projects that are eligible for RPG Funding as per the ROADS 2030 Regional Strategies will be assessed and ranked for any remaining funds.

The Shire of Nannup has other roads that may qualify for the CRSF such as Jangardup Road.

COMMENT:

Governor Broome Road is currently a Route Access Vehicle Network 3 formed gravel road that has a 5.5 metre wide trafficable width with butt jointed drainage culverts installed periodically along its length. It has no bitumen seal on any portion of its length other than the junction of Milyeannup Coast Road.

The Shire of Nannup portion of the road is 10.92 kilometres in length adjoining the Shire of Augusta Margret River.

Works required to upgrade this road would need to include widening and raising the gravel formation, replacement of all butt joint culverts with Class 4 sleeve jointed culverts, installation of preformed headwalls and surface drain construction.

To complete the entire 10.92 kilometres would require a minimum of 13 333 ton or 20 000 m³ of gravel and a total of 11 months to complete with shire resources. As there is insufficient gravel resource available from the nearest borrow pit without seriously affecting future projected road construction and maintenance works, gravel would need to be sourced from private resources at cost.

It is envisaged that the project would be broken into a maximum of 6 stages of 1.8 kilometres each over 6 years.

If council were to pursue this project, the public perception would be for the shire to complete it and Council would be reliant on continued funding to achieve this.

It is worth noting that the Shire of Augusta Margaret River does not consider this road a high priority within its own Road Works Program due to low traffic counts (30 vehicles per day) and in their opinion do not support an upgrade from its current condition. Traffic counts recorded by the Shire of Nannup (75 vehicles per day) are higher.

Jangardup Road is not listed in the Roads 2013 Regional Strategies which makes it eligible for CRSF, is an agriculture commodities route (dairy and logging) a school bus route and a link between Black Point Road and Pneumonia Road as a tourist route into a National Park and therefore may qualify for this type of funding. Traffic counts for this road are underway but are expected to be low.

Work suggested for this road would be to widen, raise, replace one large culvert and bitumen seal as far as the Pneumonia Road intersection.

A successful application for the full amount of CRS funding would achieve a gravel upgrade and full 2 coat seal all or a lower amount allow for a gravel upgrade within 1 financial year and would not require further work.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

CRS funding is only provided on a cost sharing basis of \$2 from the CRSF and \$1 from Local Government and is limited to a maximum of \$250 000 per project. Subject to a successful application the shire would be required to contribute 1/3 of the amount successfully sourced, possibly \$125 000 in 2018 – 2019 FY.

The cost to upgrade 1.8 kilometres or Stage 1 of Governor Broome Road (gravel and drainage only) would be an estimated \$368 928 with the total cost to upgrade the entire length of road within this shire at \$2 238 000.

The immediate contribution cost to council for stage 1 would be \$125 000.

A 2 coat bitumen seal consisting of a primer seal and final seal would add an estimated \$34,188 per kilometre or a total of \$373 338.

The cost to upgrade (gravel only) the section of gravel formation on Jangardup Road to Pneumonia Road intersection including replacement of one large culvert would be an estimated total of \$228 640.

An additional \$100 508 would be required to complete a 2 coat bitumen seal including the 2nd seal over the existing single bitumen seal to Black Point Road.

The immediate contribution cost to Council for gravel works would be \$76 213 and sealing works would be \$109 836.

There is no guarantee that this funding would continue to be available in future years

Applications for CRSF Funding closes Friday 1st September 2017

STRATEGIC IMPLICATIONS:

Roads 2013 Strategies for Significant Local Government Roads – South West Region

RECOMMENDATION:

That Council does not proceed with an application to pursue funding through the Commodity Routes Supplementary Fund (CRSF) for Governor Broome Road for the following reasons:-

1. Governor Broome Road is listed within the ROADS 2030 Regional Strategies and would not be directly eligible for the CRSF with the likelihood that the grant application would be unsuccessful.
2. The Shire of Augusta-Margaret River has advised that it does not consider its section of Governor Broome Road as having a high priority and therefore, has no intentions of upgrading the road beyond the Shire of Nannup's boundary; and
3. The long term financial implications to the Shire of Nannup if the application was successful.

Alternatively, Council endorses and proceeds with an application for the full amount of CRSF for the upgrade of Jangardup Road as this road meets the Roads 2030 Strategies eligibility, and that subject to a successful application the entire project can be completed within a financial year and Shire resources would be employed to complete a large portion of the work.

VOTING REQUIREMENTS: Simple Majority

Cr Longmore left the Chamber at 5.40pm

Cr Longmore returned to the Chamber at 5.42pm

17143 DEAN/STEER

That Council does not proceed with an application to pursue funding through the Commodity Routes Supplementary Fund (CRSF) for Governor Broome Road for the following reasons:-

1. ***Governor Broome Road is listed within the ROADS 2030 Regional Strategies and would not be directly eligible for the CRSF with the likelihood that the grant application would be unsuccessful.***
2. ***The Shire of Augusta-Margaret River has advised that it does not consider its section of Governor Broome Road as having a high priority and therefore, has no intentions of upgrading the road beyond the Shire of Nannup's boundary; and***

3. The long term financial implications to the Shire of Nannup if the application was successful.

Alternatively, Council endorses and proceeds with an application for the full amount of CRSF for the upgrade of Jangardup Road as this road meets the Roads 2030 Strategies eligibility, and that subject to a successful application the entire project can be completed within a financial year and Shire resources would be employed to complete a large portion of the work.

CARRIED (6/0)

AGENDA NUMBER:	12.11
SUBJECT:	Road Project Grant Funding Applications
LOCATION/ADDRESS:	Shire of Nannup – Cundinup South Road, Four Acres Road, Bridgetown Road and Cundinup Kirup Road
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WRK 01
AUTHOR:	Jonathan Jones – Manager Infrastructure
REPORTING OFFICER:	Jonathan Jones – Manager Infrastructure
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	17 July 2017
ATTACHMENT:	12.11.1 - 5 Year Road Construction Schedule

BACKGROUND:

Main Roads WA has advised that the 2018 – 2019 Regional Road Group Road Project Grants and the Regional Road Group Road Projects Grants 5 Year Program is ready to receive submissions from Local Government Authority's.

The Shire of Nannup 5 Year Road Construction Schedule describes those roads that currently receive Regional Road Group funded improvement works.

COMMENT:

The Shire of Nannup has within its 5 Year Road Construction Program several roads that receive annual construction upgrade from funds distributed via Main Roads as Road Project Grants. The roads identified are Cundinup South Road, Four Acres Road, Bridgetown Road and Cundinup Kirup Road.

Works identified for Cundinup South Road and Bridgetown Road are primarily Bitumen correction and re seal.

Works identified for Four Acres Road is Gravel road widening, reconstruction, formation and sheeting (the bitumen seal as far as Don Road will be completed in 2017 2018 FY). It is intended that only gravel road widening, reconstruction, formation and sheeting is to continue the other side of Don Road.

Works identified for Cundinup – Kirup Road are Shoulder improvement, bitumen widening, seal correction and reseal.

Roads submitted for funding must be included in the Roads 2030 Review Document. The Manager Infrastructure intends to submit these roads for funding as previously described in the Road Construction Schedule.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

Road Project Grants funding is provided on a cost sharing basis of \$2 from the Main Roads and \$1 from Local Government per project. Subject to a successful submission and application the shire would be required to contribute 1/3 of the amount successfully sourced over a 5 year program.

The cost to carry out works as described is estimated at \$315 000 per annum of which the Shire of Nannup would contribute 1/3rd.

Applications and Submissions for Funding close Friday 1st August 2017

STRATEGIC IMPLICATIONS: Roads 2013 Strategies for Significant Local Government Roads – South West Region

RECOMMENDATION:

That Council endorses and proceeds with an application to pursue Road Project Grants Funding as per the Shire of Nannup 5 Year Road Construction Schedule for presentation to Main Roads.

VOTING REQUIREMENTS: Simple Majority

17144 STEER/MELLEMA

That Council endorses and proceeds with an application to pursue Road Project Grants Funding as per the Shire of Nannup 5 Year Road Construction Schedule for presentation to Main Roads

CARRIED (6/0)

AGENDA NUMBER:	12.12
SUBJECT:	State Blackspot Funding Application
LOCATION/ADDRESS:	Shire of Nannup – Brockman Highway
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WRK 32
AUTHOR:	Jonathan Jones – Manager Infrastructure
REPORTING OFFICER:	Jonathan Jones – Manager Infrastructure
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	17 July 2017
ATTACHMENT:	Nil

BACKGROUND:

Sections of the Brockman Highway, known locally as the Nannup - Bridgetown Road are identified as State Blackspots within the criteria set down by Main Roads.

Main Roads WA has advised that State Blackspot Road funds applied for now and subject to a successful application would then be available in the 2018 – 2019 Financial year.

(Blackspot sites are selected on the basis of their recorded crash history with the number and severity of the crashes influencing whether they are regarded as state or federal funded). At this time Brockman Highway is considered a State Blackspot funded road

COMMENT:

The Blackspot locations identified are between Folly Road and Annels Road SLK 15.30 to SLK 17.33 and the section between Stallard Road and Nursery Road SLK 13.27 to SLK 15.64. Both locations overlap and make up a total of 4 kilometres. The two sections would however require two separate applications if both were to have safety improvement work carried out in the same year.

Works required to increase safety on this road would be clearing of trees to the top of drain batter, shoulder re – establishment, widening of the bitumen seal as well as guide post replacement and signage improvements.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

State Blackspot funding is provided on a cost sharing basis of \$2 from the Main Roads and \$1 from Local Government per project. Subject to a successful application the shire would be required to contribute 1/3 of the amount successfully sourced in 2018 – 2019 FY.

The cost to carry out safety works on one section is estimated at \$275 000 with a similar amount required to carry out the same works along the second section.

The immediate contribution cost to council for one section would be \$91 666 and the same again for the second section.

Work carried out on the sections identified would be mostly done by contractors as the work required such as tree removal, bitumen sealing and traffic management would require specialist equipment, plant and skills. Shire resources would be limited to assisting contractors, shoulder improvement, guide post and sign installation.

Applications for State Blackspot Funding closes Friday 11th August 2017

STRATEGIC IMPLICATIONS: Roads 2013 Strategies for Significant Local Government Roads – South West Region

RECOMMENDATION:

That Council does not endorse or proceed with an application to pursue funding from State Blackspot funds for the Brockman Highway as if successful it may potentially place a financial strain on the Council and that the greater part of works undertaken would be by external Contractors and not Shire labour resources.

VOTING REQUIREMENTS: Simple Majority

17145 GILBERT/LONGMORE

That Council does not endorse or proceed with an application to pursue funding from State Blackspot funds for the Brockman Highway as if successful it may potentially place a financial strain on the Council and that the greater part of works undertaken would be by external Contractors and not Shire labour resources.

CARRIED (6/0)

AGENDA NUMBER:	12.13
SUBJECT:	Monthly Accounts for Payment - June 2017
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	18 July 2017
ATTACHMENT:	12.13.1 – Accounts for Payment – June 2017 12.13.2 – Credit Card Transactions – June 2017

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 June 2017 to 30 June 2017 as detailed hereunder and noted on the attached schedule, are submitted to Council.

COMMENT:

If Councillors have questions about individual payments prior notice of these questions will enable officers to provide properly researched responses at the Council meeting.

There is currently one corporate credit card in use. A breakdown of this expenditure in the monthly financial report is required to comply with financial regulations. This breakdown is included within the attachments.

Municipal Account

Accounts paid by EFT	9490 – 9609	285,031.48
Accounts paid by cheque	20182 – 20199	11,061.76
Accounts paid by Direct Debit	DD9880.1 – DD9891.2	29,783.74

Sub Total Municipal Account \$325,876.98

Trust Account

Accounts paid by EFT	9489	38,329.88
Accounts Paid by cheque	22804	35,262.48
SubTotal Trust Account		<u>\$73,592.36</u>

Total Payments **\$399,469.34**

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 \$399,469.34 for the period 1 June 2017 to 30 June 2017 in the attached schedule be endorsed.

VOTING REQUIREMENTS: Simple Majority

17146 GILBERT/MELLEMA

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$399,469.34 for the period 1 June 2017 to 30 June 2017 in the attached schedule be endorsed.

CARRIED (6/0)

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

13.1 OFFICERS

Nil

13.2 ELECTED MEMBERS

Nil

14. MEETING CLOSED TO THE PUBLIC

(Confidential Items)

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

Nil

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

Cr Dean has submitted the following Notice of Motion for consideration by Council.

That Council staff investigate the following and prepare an appropriate report for consideration of Council in its deliberations during the 2018/2019 Budget process:-

- 1) Commence discussions with the Department of Parks and Wildlife regarding preferred alignment for Gracillis Road in order that it can be Gazetted as a dedicated Road Reserve and the potential land swaps to achieve Dedication.*
- 2) Prepare costs projections to bring the preferred Gracillis Road alignment to an all-weather gravel road standard for the purposes of a secondary access/exit emergency route for residents in the North Nannup subdivision; and*
- 3) That in the event of Gracillis Road being Dedicated and constructed to a gravel all-weather standard road, staff investigate the possibility of Council imposing a Developer Contribution on future subdivisions in the North Nannup area towards the cost of widening and sealing the road at some stage in the future.*

17147 DEAN/LONGMORE

That Council staff investigate the following and prepare an appropriate report for consideration of Council in its deliberations during the 2018/2019 Budget process:-

- 1) Commence discussions with the Department of Parks and Wildlife regarding preferred alignment for Gracillis Road in order that it can be Gazetted as a dedicated Road Reserve and the potential land swaps to achieve Dedication.***
- 2) Prepare costs projections to bring the preferred Gracillis Road alignment to an all-weather gravel road standard for the purposes of a secondary access/exit emergency route for residents in the North Nannup subdivision; and***
- 3) That in the event of Gracillis Road being Dedicated and constructed to a gravel all-weather standard road, staff investigate the possibility of Council imposing a Developer Contribution on future subdivisions in the North Nannup area towards the cost of widening and sealing the road at some stage in the future.***

CARRIED (6/0)

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

17. CLOSURE OF MEETING

There being no further business to discuss the Shire President declared the meeting closed at 5:57 pm.