



MINUTES

Council Meeting held
On Thursday 24 March 2011

CONFIRMATION OF MINUTES

These minutes comprising pages 1 - 70 were confirmed by the Council
on 28 April 2011 as a true and accurate record.

.....
Barbara Dunnet
SHIRE PRESIDENT

Shire of Nannup

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting opened at 4.15pm.

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

Councillors Dunnet, Boulter, Camarri, Dean, Gilbert, Mellema and Pinkerton.

Robert Jennigns – Chief Executive Officer.

Kevin Waddington – Acting Manager Corporate Services.

Geoff Benson – Manager Development Services.

Chris Wade – Works Manager.

VISITORS

4.

APOLOGIES

Councillor Lorkiewicz.

LEAVE OF ABSENCE (previously approved)

Nil.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Mr M Loveland made further comment on the stormwater drainage layout plans for Grange Road.

His comments were noted.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8572 BOULTER/DEAN

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 24 February 2011 be confirmed as a true and correct record with the following amendment:

Resolution 8562 to change the words.

2. The words "not to include any Councillor who has been nominated A NOMINEE " after the word committee in procedure number 6; and

CARRIED 7/0

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Welcome to Robert Jennings.

9. REPORTS BY MEMBERS ATTENDING COMMITTEES

OCC Health Safety Committee meeting.

10. REPORTS OF OFFICERS

AGENDA NUMBER: 10.1

SUBJECT: Final Adoption of Amendment No.9 to Local Planning Scheme No 3

LOCATION/ADDRESS: Lot 8271, Brockman Highway, Nannup

NAME OF APPLICANT: Harley Global

FILE REFERENCE: A105

AUTHOR: Geoffrey Benson, Manager Development Services

DISCLOSURE OF INTEREST: Nil

DATE OF REPORT: 9 March 2011

Attachments:

1. Draft Amendment No. 9 to Town Planning Scheme No. 3 (as amended). – Separate Cover
2. Draft Development Guide Plan
3. Schedule of Submissions

BACKGROUND:

The purpose of this report is to:

- update Council on the key events since Council last considered the scheme amendment request;
- formally advise Council of the results of the public advertising of the scheme amendment;
- consider key issues; and
- Consider whether or not Council wishes to support final approval of draft Scheme Amendment No. 9 with or without modifications.

COMMENT:

1. The Proposal

The proponent seeks Council's support to rezone Lots 8271 Brockman Highway, Nannup ('subject land') from 'Agriculture' under the Shire of Nannup Local Planning Scheme No. 3 ('LPS No.3') to 'Special Rural' (via an approved Development Guide Plan).

Nelson Lot 8271 CT 1047/353 is located southwest of Nannup on BROCKMAN HIGHWAY, NANNUP ('Subject Land') and is currently used for a large hobby farm. The subject land has been requested to be subdivided on two previous occasions (last reference Oct 92), gaining Council support but not approved by the Minister for Planning. There have been considerable changes since this date with the Nannup Planning Strategy for the Local Planning Scheme No3 and adoption of Local Planning Scheme No3 in December 2008.

Due to its size it would have limited uses for most forms of agriculture and has on its southern boundary Special Rural Area 12

Amendment No 9 to *Local Planning Scheme No. 3* (LPS No3) would result in the rezoning of approximately 10.7 ha of land from 'Agriculture' zone to "Special Rural" zone that would potentially allow up to 6 lots of a minimum of 1.0 hectare, ranging up to 3.89 ha on the subject land (Attachment 1 includes the Location Plan). The proponent's basis of this request is summarised:

- a. The 6 lots will be required to have with potable water (rain water), on site waste disposal, singular road access, maintenance of environment status quo and addressing the requirements for bush fire protection.
- b. The Warren Blackwood Rural Strategy (2004) states "Rural-residential or rural smallholdings subdivisions will not be supported unless the land is designated for the purpose in the local planning strategy or rural strategy and until the land has been rezoned for that purpose". As the Local Planning Scheme No3 has identified the land as appropriate for being used for rural residential purposes, as it is in the Special Rural Policy Area, the proposed zoning is deemed to comply with this strategy.
- c. Subdivision of the subject land would meet the requirements of State Planning Policy 2.5 and WAPC Development Control Policy 3.4 as LPS No3 identifies the subject land as within the Special Rural Policy Area and is within proximity of Nannup;
- d. The Shire of Nannup Local Planning Strategy identifies the subject land within Rural Planning Precinct NR5 supports rural-residential subdivision in areas close to town where permitted under the town strategy. With regards to the Nannup Townsite Strategy the subject land is identified within policy area 6 which supports special rural/residential development subject to assessment and rezoning.
- e. The subdivision of the subject land is consistent in all regards to LPS No3.
- f. There is demand for a supply of rural residential land in Nannup.

2. Subject land and Nearby Land Details

The Amendment Site is essentially a large hobby farm. Given its relative small lot area and proximity to the town site and surrounding residential areas, it is not suitable for most forms of agriculture. There are a number of sheds and one dwelling on the property

The current town planning scheme zonings surrounding the site are shown on the draft development guide plan.

Directly to the north of the Amendment Site is land reserved for *Water Course* being the Blackwood River. This includes a riparian vegetation reserve and the actual water course. Land to the north of this river is predominantly *Special Rural* zoned.

Directly to the south of the Amendment Site is land zoned *Special Rural*. This area is being developed for rural residential land uses with lot sizes generally varying from 1-2 ha.

Directly to the east of the Amendment Site is land zoned *Rural*. Important to note is that this area still has relatively small lot sizes, significantly smaller than the Amendment site. There is also an area reserved for *Parks and Recreation*.

Directly to the west of the Amendment Site is land zoned *Special Rural*. Other reserved land in the vicinity of the Amendment Site generally indicates remnant vegetation to be conserved for *State Forest*.

A mitigation zone between the new *Special Rural* zone and neighbouring agricultural pursuits is not necessary in this instance given that the only activities coded 'P' by the zoning table in the Scheme text are 'agriculture-extensive', 'single dwelling', 'home office' and 'rural pursuit', none of which realistically will have an adverse impact on nearby agricultural pursuits. Any other activities will require Council's consideration, giving them the opportunity to decide on a case-by-case basis whether a mitigation zone is necessary. It should also be noted that land to the south and west is also zoned *Special Rural* and land to the north, while zoned *Rural*, is separated from the subject site by the Blackwood River reserve.

3. Council Resolution

At its 27 May 2010 meeting Council resolved as follows;

That Council resolve to initiate Scheme Amendment No. 9 to the Shire of Nannup Local Planning Scheme No. 3 ('LPS No3') to amend LPS 3 by rezoning Lot 8271 BROCKMAN HIGHWAY, Nannup from 'Agriculture' to "Special Rural" to facilitate subdivision development (via an approved Structure Plan).

4. Remnant Vegetation

Remnant vegetation on the subject land has been subject to previous disturbance. Some further impact at the fringes of this vegetation will be required to establish to building and hazard reduction zones about proposed development.

5. Fire Risk Assessment

In relation to fire risk, a draft Fire Management Plan (FMP) accompanied the Amendment Report. Further Fire Risk Management will be required as part of any subdivision request.

6. Consultation and Submissions

The Shire sought public comment on draft Scheme Amendment No. 9 for 42 days. Upon closure of the advertising period, the Shire received four (4) submissions from agencies. These are summarised in the Schedule of Submissions (see Attachment 3), along with a recommended action. Copies of all submissions are available to Councillors on request.

The issues raised in the submissions addressed planning related matters that have either been addressed in modifications to draft Scheme Amendment No.9 or are dealt with in the existing provisions.

7. Suggested changes to the draft Scheme Amendment Report

Following the submissions during the Public Comment Period, staff requested changes to the draft Amendment Documents to reflect the issues raised by the Department of Water and the Department of Environment and Conservation.

The Fire Management Plan (FMP) needs to be updated to reflect the changes made as a result of the public comments period.

8. Next Steps

Should Council agree to support final approval of draft Scheme Amendment No. 9 with or without modifications, Scheme Amendment No. 9 is then referred to the WAPC. The WAPC then makes its assessment and provides a recommendation to the Minister for Planning who makes the final decision on whether or not to grant final approval. If the Minister grants final approval, the Scheme Amendment No. 9 will, in time, be gazetted.

9. Conclusions

The draft Development Guide Plan addresses the requirements of the Scheme. Concerns in relation to fire protection and impacts on adjoining land have been addressed to the satisfaction of FESA.

Lot size: Council will need to consider the size of lots to be approved. The Local Planning Strategy refers to lots of 1 – 3 hectares. However, in most rezoning and subsequent subdivision the minimum size has been limited to 2 hectares. The most recent subdivision in DEAN ROAD did permit lots down to 1.06, 1.4 and 1.46 hectares. Council needs to consider if the reduction in lot sizes below 2 hectares will increase the urban density and change the “rural” perspective of the area surrounding the Nannup Townsite.

STATUTORY ENVIRONMENT:

Local Planning Scheme No3

- The LPS No3 includes the subject land as "Agriculture" zone and is also located within a special control area known as "Special Rural Policy Area" (section 6.2.2) which states:

6.2.2 Special Rural Policy Area

- 6.2.3.1 *The purpose of identifying land on the Scheme Map as being within the Special Rural Policy Area is to enable the planned and progressive development of the land for rural residential purposes in a manner and at a time appropriate to the orderly and proper planning and development of the land, the locality and the District.*
- 6.2.3.2 *Where land is identified on the Scheme Map as being within the Special Rural Policy Area, the local government will require the rezoning of the land in accordance with the requirements of sub-clause 4.13.10.2 of the Scheme.*
- 6.2.3.3 *Where land is identified on the Scheme Map as being within the Special Rural Policy Area, the local government will require the rezoning of the land consistent with the proposed uses and the preparation of a comprehensive Development Guide Plan for the land and the endorsement of the Plan by it and the Western Australian Planning Commission prior to the local government supporting any subdivision or development of the land.*
- 6.2.3.4 *The local government may require the Development Guide Plan to have regard for adjacent lands. Such Development Guide Plan shall be prepared in accordance with Schedule 14.*
- 6.2.3.5 *The subdivision or development of the land the subject of the Development Guide Plan shall generally be in accordance with the endorsed Development Guide Plan.*
- 6.2.3.6 *notwithstanding the foregoing, the local government may approve any development in a manner consistent with the underlying zone without requiring a Development Guide Plan where, in the opinion of the local government, such development is of a minor nature and will not adversely affect the future subdivision or development of land within the zone.*
- 6.2.3.7 *A dwelling house may be erected on an existing allotment of land within the Special Rural Policy Area where the local government is satisfied that*

the siting of the dwelling house is unlikely to prejudice the future development of the land or other land in the vicinity.

Local Planning Strategy for the Local Planning Scheme No3 and Townsite Strategy

- The principle 'strategic' document in support of the proposed rezoning of the subject land is the Shire of Nannup Local Planning Strategy. The relationship between the Local Planning Strategy and the Nannup Townsite Strategy is outlined in the Local Planning Strategy as such:

"In addition to the recommendations of the Townsite Strategy, Council, via this Local Planning Strategy, has adopted a philosophy of encouraging infill and consolidation of the townsite strategy area instead of identifying additional land for settlement outside of these areas."

- The subject land is located within Planning Precinct NR5 of the Local Planning Strategy, the objectives of which are to:
 - *"allow for rural-residential subdivision in areas close to the town where permitted under the Townsite Strategy"*
 - *"discourage additional rural-residential development at Darradup and Jalbarragup due to remoteness from services"*
 - *"provide for the sustainable use of land within the agricultural zones and outside the Townsite Strategy Area, for a range of rural pursuits"*
- The subject land is included in the Nannup Townsite Strategy as *Policy Area No.4* which has few limitations in respect to rural-residential development, with the exception of proximity to the Blackwood River and potential for inundation, and possible constraints on servicing. However, the subject land is not specifically identified as flood prone land and the land can be serviced by road, power and telecommunications with access to an alternative supply of potable water also achievable.
- The Strategy also specifies that subdivision into 1 hectare lot sizes are permissible for land with reticulated water and subdivision into lot sizes of 2 hectares are encouraged for land without reticulated water. Given that the subject land is located within an established rural-residential area, the proposal to rezone the subject site to 'Special Rural' will be consistent with surrounding land uses.

Warren-Blackwood Rural Strategy

- The Warren Blackwood Rural Strategy ('WBRS') was developed as a collaborative overarching approach to strategic planning for the Warren Blackwood region, with many of those outcomes embodied within LPS No3. The WBRS does make some observations from a strategic perspective that are of relevance to the future subdivisions and development of the subject land, and the place of the proposed Special Rural zoning within the general objectives for the region.
- The WBRS suggests that lots sizes ranging between 1 hectare and 4 hectares should be provided in rural-residential areas. This is considered necessary so as to produce lots large enough to satisfy the lifestyle, amenity and privacy of owners, however not wasting the land resource by creating lots beyond the capability of landowners to manage in a sustainable manner. Furthermore, the WBRS states that rural-residential development should occur within 5 kilometres of an urban area, which the subject land does.
- The Warren-Blackwood region is divided into several planning units, the subject land being located within the "Blackwood" Planning Unit. One of the planning objectives of this Unit relating the rural-residential development is that it should be restricted to a specifically identified zone or policy area, which the subject land is within.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

RESOLVED that the Council, pursuant to Section 75 of the Planning and Development Act 2005 (as amended), amends the above local planning scheme by:

1. Rezoning Lot 8271 Brockman Highway, Nannup (as depicted on the Scheme Amendment Map) from the 'Agriculture' zone to the 'Special Rural' zone.
2. Amending the Scheme Text Schedule 12 (Schedule of Special Rural Zones) by including Lot 8271 Brockman Highway, Nannup together with reference to a Development Guide Plan and special provisions referring to the subject land as follows:

NO.	DESCRIPTION OF LAND	CONDITIONS
SR15	Lot 8271 Brockman Highway, Nannup	<ol style="list-style-type: none"> 1. Subdivision and development of the site shall be generally in accordance with the Development Guide Plan adopted by the Local Government and endorsed by the Chief Executive Officer. 2. Subdivision and development may be considered by the Shire as a variation from the Development Guide Plan provided that, in the opinion of the Shire, such development would not compromise the intent of the Development Guide Plan. 3. Any variation to the endorsed Development Guide Plan not within the general intent of the Development Guide Plan will require consideration and endorsement of a new Development Guide Plan in accordance with Schedule 14. 4. Subdivision and development shall generally be in accordance with the Development Guide Plan adopted by the Local Government for the zone under Local Planning Scheme No.3. 5. Prior to subdivision or development, the following will be prepared and/or undertaken to the satisfaction of the Local Government: <ul style="list-style-type: none"> • A foreshore management plan for the riparian zone adjacent to the Blackwood River shall be prepared to the requirement of the DoW and DEC. • A Landscape Protection Plan • Fire Management Plan 6. A 30 metre foreshore reserve along the northern boundary of the subject land as depicted on the Development Guide Plan is to be ceded free of cost to the Shire of Nannup or other relevant agency at the time of subdivision. 7. All new buildings and structures shall be contained within the building envelope areas as depicted on the Development Guide Plan.

		<p>8. Notwithstanding Clause 5.8.3 of the Scheme, each dwelling shall be provided with a water supply with a minimum capacity of 135,000 litres, and adequate roof catchment to supply the water tank, or alternative source of water approved by the Council. This may be supplied from the Water Corporation licensed underground water supplies or rainwater storage systems to the satisfaction of Council and the Health Department of Western Australia.</p> <p>9. All dwellings shall be designed and constructed in accordance with the requirement of Standard Australia AS3959 – 1999 “Construction of Buildings in Bush Fire Prone Areas” (Level 2) construction standards.</p> <p>10. On-site effluent disposal systems will be provided to the satisfaction of the Department of Health and Council standards and shall be setback 100m from the Blackwood River in accordance with the Department of Water's Water Quality Protection Note for Wastewater Treatment – On Site Domestic Systems.</p> <p>11. All stormwater shall be disposed of on-site to the satisfaction of the Local Government.</p> <p>12. No lot shall have direct access to Brockman Highway.</p>
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8573 BOULTER/GILBERT

RESOLVED that the Council, pursuant to Section 75 of the Planning and Development Act 2005 (as amended), amends the Shire of Nannup local planning scheme No 3 by:

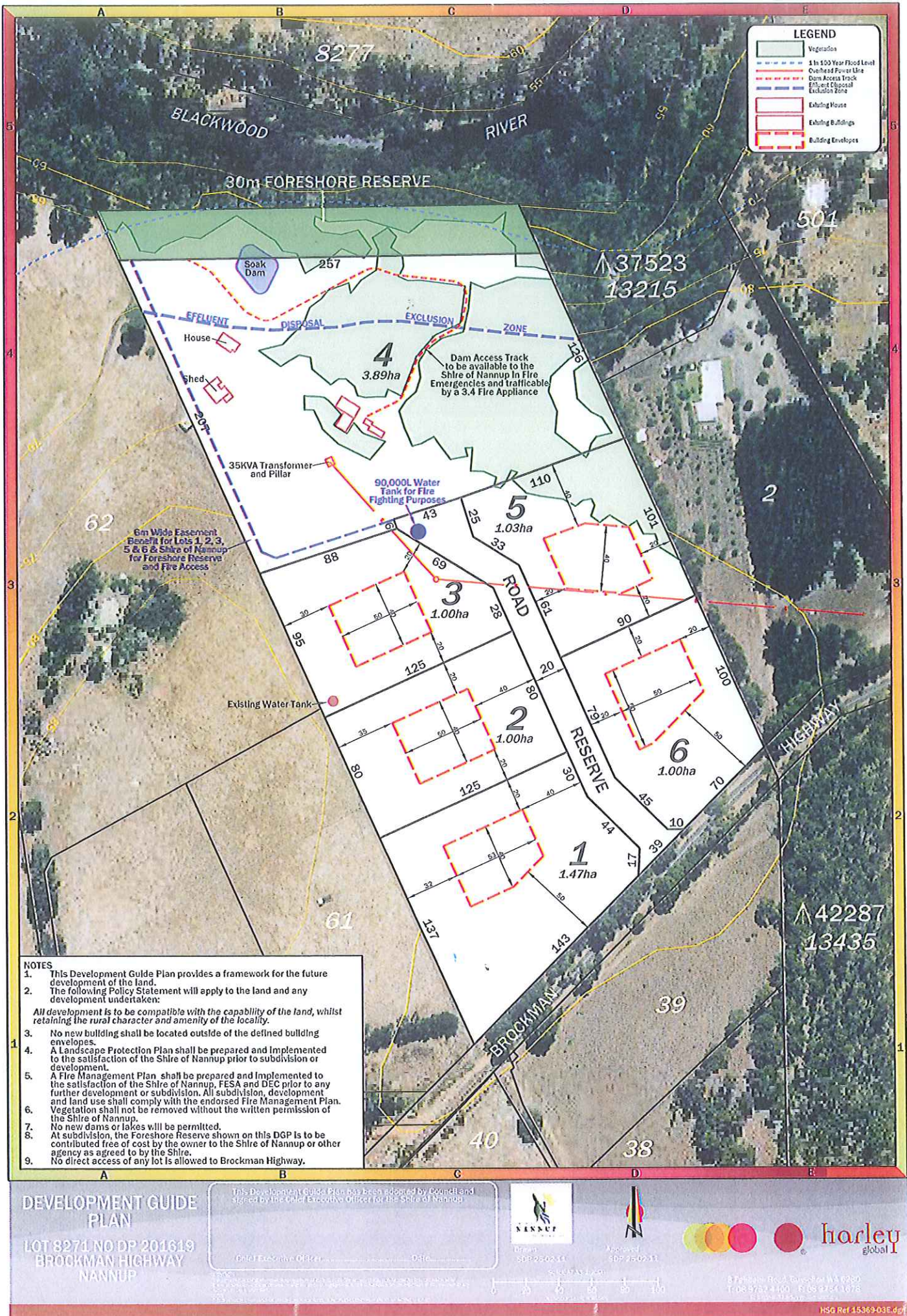
1. Rezoning Lot 8271 Brockman Highway, Nannup (as depicted on the Scheme Amendment Map) from the 'Agriculture' zone to the 'Special Rural' zone.
2. Amending the Scheme Text Schedule 12 (Schedule of Special Rural Zones) by including Lot 8271 Brockman Highway, Nannup together with reference to

a Development Guide Plan and special provisions referring to the subject land as follows:

NO.	DESCRIPTION OF LAND	CONDITIONS
SR15	Lot 8271 Brockman Highway, Nannup	<ol style="list-style-type: none"> 1. Subdivision and development of the site shall be generally in accordance with the Development Guide Plan adopted by the Local Government and endorsed by the Chief Executive Officer. 2. Subdivision and development may be considered by the Shire as a variation from the Development Guide Plan provided that, in the opinion of the Shire, such development would not compromise the intent of the Development Guide Plan. 3. Any variation to the endorsed Development Guide Plan not within the general intent of the Development Guide Plan will require consideration and endorsement of a new Development Guide Plan in accordance with Schedule 14. 4. Subdivision and development shall generally be in accordance with the Development Guide Plan adopted by the Local Government for the zone under Local Planning Scheme No.3. 5. Prior to subdivision or development, the following will be prepared and/or undertaken to the satisfaction of the Local Government: <ul style="list-style-type: none"> • A foreshore management plan for the riparian zone adjacent to the Blackwood River shall be prepared to the requirement of the DoW and DEC. • A Landscape Protection Plan • Fire Management Plan 6. A 30 metre foreshore reserve along the northern boundary of the subject land as depicted on the Development Guide Plan is to be ceded free of cost to the Shire of Nannup or other relevant agency at the time of subdivision. 7. All new buildings and structures shall be contained within the building envelope areas as depicted on

		<p>the Development Guide Plan.</p> <p>8. Notwithstanding Clause 5.8.3 of the Scheme, each dwelling shall be provided with a water supply with a minimum capacity of 135,000 litres, and adequate roof catchment to supply the water tank, or alternative source of water approved by the Council. This may be supplied from the Water Corporation licensed underground water supplies or rainwater storage systems to the satisfaction of Council and the Health Department of Western Australia.</p> <p>9. All dwellings shall be designed and constructed in accordance with the requirement of Standard Australia AS3959 – 1999 “Construction of Buildings in Bush Fire Prone Areas” (Level 2) construction standards.</p> <p>10. On-site effluent disposal systems will be provided to the satisfaction of the Department of Health and Council standards and shall be setback 100m from the Blackwood River in accordance with the Department of Water’s Water Quality Protection Note for Wastewater Treatment – On Site Domestic Systems.</p> <p>11. All stormwater shall be disposed of on-site to the satisfaction of the Local Government.</p> <p>12. No lot shall have direct access to Brockman Highway.</p>
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CARRIED 7/0



ATTACHMENT 6 – SCHEDULE OF SUBMISSIONS

SHIRE OF NANNUP LOCAL PLANNING SCHEME NO3 - SCHEME AMENDMENT N09

No.	Name & Address of Submitter	Summary of Submissions	Council Comments	Recommendation
1	Health Department of Western Australia P.O.Box 8172 Perth Business Centre WA 6849	A) No objection	A) Noted.	No Modification
2	Carol Anderson - Department of Water, SW Region P.O. Box 261, Bunbury WA 6231	A) "Proposed development (building, filling etc) that is located outside the floodplain is considered acceptable with respect to major flooding. However, a minimum habitable floor level of 0.5m above the 100 year ARI flood level is recommended to ensure adequate flood protection. Proposed development (building, filling etc) that is located within the floodplain and is considered obstructive to major flows are not acceptable as it would detrimentally impact on the general flooding regime of the area. Generally, no new buildings are acceptable on the floodplain." B) "Insufficient land is being proposed to be ceded for foreshore reserve....there is a minimum 30m requirement under SPP 2.9 for Foreshore Protection to waterways...this 30m area also includes the identification that the River is an	A) Noted. B) Noted. Amendment made to reflect this requirement C) Noted.	No Modification Modification Made No Modification

3	<p>Department of Environment and Conservation PO Box 1693 BUNBURY WA 6230</p>	<p>Aboriginal Site of Significance on the DIA Permanent Register. Their Act relates to the first 30m of such assets.” C) “The DoW prefers the use of ATUs in lieu of conventional septic tank and leach drain systems for their nutrient stripping capabilities.”</p> <p>EPA advise that the “location of the building envelope for proposed Lot 4 in the Subdivision Guide Plan should not be approved, and that the creation of Lot 4 should not occur if it includes an entitlement to build a residence.”</p>	<p>DGP amended to reflect the need to protect the ecological linkage value of the vegetation to the north east of the site.</p>	<p>DGP modified to indicate 6 lots, with building envelopes situated to preserve ecological linkages and foreshore vegetation</p>
4	<p>Department of Agriculture and Food P.O. Box 1231, Bunbury WA 6230</p>	<p>A) “DAFWA does not object to the rezoning of the land, because this area was previously identified for this purpose in the Shire of Nannup Local Planning Scheme No. 3. DAFWA does not support the development of <i>Rural Residential</i> areas if not previously identified in an approved Shire Strategy or Planning Scheme.” B) “In general, DAFWA does not support <i>Rural Residential</i> developments due to the following issues:” a) The development of rural-residential areas alienates rural land from agricultural production; b) Rural-residential developments that rely on surface and ground water</p>	<p>A) Noted B) Noted.</p>	<p>No Modification No Modification</p>

		<p>supplies reduce the amount of water available for agriculture;</p> <p>c) Because of its low density nature, rural-residential development represents an inefficient use of land;</p> <p>d) DAFWA would prefer to see increased density and improved servicing in existing rural-residential areas than establishment of new rural-residential areas;</p> <p>e) Because they are frequently adjacent to agricultural areas, development of rural-residential estates without appropriate boundaries has the potential to generate land-use conflict.</p>		

AGENDA NUMBER: 10.2
SUBJECT: Realignment of Ethel Road, Peerabeelup
LOCATION/ADDRESS: Ethel Road Reserve
NAME OF APPLICANT: Department of Local Government
FILE REFERENCE: ROA86
AUTHOR: Geoffrey Benson – Manager of Development Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 11 March 2011

Attachments: 1. Aerial View of Lot 4497 & Lot 6982
2. Map of proposed realignment of Ethel Road
3. Photographs from site inspection of Lot 4497 & Lot 6982

BACKGROUND:

Further to the October 2010 Council meeting where Council's decision (res 8474) was:

1. *"That Council advise Mr J Gaunt and Ms E Tilly that it is prepared to consent to the alterations to the Ethel Road survey alignment by:*
 - *Closing the part of Ethel Road (Part A) that is within the line marked "edge of lake" on the plan of the survey by JH Towie submitted as Attachment 8, Council meeting agenda 28 October 2010.*
 - *Close the part of Ethel Road (Part B) that is between Part A and the eastern boundary of Location 6982.*
 - *Amalgamate Part A with Location 4497 and amalgamate Part B with Location 6982, and*
 - *Dedicate by survey a new public road 20 metres wide to include the part of the existing sand track access to Location 6982 that is not within Ethel Road. The new public road to join the south boundary of Part B on the highest ground on the south boundary of Part B as shown on Attachment 8, Council meeting agenda 28 October 2010, which is to avoid the lower steep slope near the east boundary of Location 6982.*
2. *That Council advise Mr J Gaunt and Ms E Tilly that it will not bear any costs associated with the above alterations which have been specifically requested by Mr Gaunt and Ms Tilly to correct the fact that a major water body has been constructed without approval within the Ethel Road reserve.*
3. *If Mr J Gaunt and Ms E Tilly do not agree to Recommendations 1 and 2 within a month from the date of the Council decision then Council invite them to implement Option 2 and if they do not agree to implement Option 2 then Council commence action in Option 3.*

4. *That Council advise Mr J Gaunt and Ms E Tilly that Planning Approval will be required to formalise the lake which currently encroaches onto Ethel Road, whether or not recommendations 1 or 2 above are followed through with by Mr Gaunt and Ms Tilly.*
5. *That further investigation be undertaken in respect of the building located on Location 6982 with a view to ensuring compliance with the relevant health/building/planning legislation recognizing its current use and setback requirements."*

Both property owners of Lot 4497 and 6982 were informed of Council's decision and the Manager of Development Services has received responses from both parties regarding the matter. Lawyers for Lot 6982 landowners (Baxter, Chugg and North) have responded on their behalf and made points about:

1. Realignment of Ethel Road
2. Access to Water
3. Effects on the Viewscape of Lot 6982

A summary of the responses to the above questions were given, as shown below:

1. Realignment of Ethel Road

"Council is in the process of negotiating with Department of Environment and Conservation (DEC) to excise a new road alignment for Ethel road to give Lot 6982 appropriate access. Your client will be kept advised of how the process is progressing."

2. Access to Water

"The issue of water that may have been available and access to it would normally be dealt with by the Department of Water, if for commercial purposes. In the case of domestic purposes the simplest way to get access would be to apply to the Department of Regional Development and Lands."

3. Effects on the Viewscape of Lot 6982

"I refer you to residential properties and the Residential Design Codes and the clauses to prevent Overlooking and Overshadowing. However the construction of a fence on a person's property boundary is usually dealt with as a Dividing Fence issue therefore is a civil matter under clauses of the Dividing Fences Act. Therefore I refer you to the Building Commission for further advice on this matter."

COMMENT:

While carrying out research for the procedure to realign Ethel Road it became apparent that to achieve the end result, that being excising part of the State Forest to use for Freehold (Dam) and road reserve (Ethel Road), some give and take would be necessary to satisfy the Conservation Commission and DEC and ease the request through Parliament.

Therefore staff has provided an alternative option for the realignment of Ethel Road that both achieves legal access for Lot 6982 and assuages the concerns of the Conservation Commission, by exchanging unneeded road reserve for the required land being taken from the State Forest.

Outline of steps to be taken after Council agrees to the recommendation of this report are below:

1. Submit proposal to Pemberton DEC for them to assess and forward to DEC Head office to assess and forward to Conservation Commission
2. Conservation Commission to assess and submit to Parliament
3. Both houses of Parliament must approve the change to the State Forest Boundary.
4. DEC to inform the local government authority of the outcome

As yet there is no indication as to time frame for the above, but it could be as much as six months depending on time to pass through Parliament.

STATUTORY ENVIRONMENT:

Land Administration Act 1997
Local Government Act 1995

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

Road survey costs to be borne by Mr J Gaunt.

STRATEGIC IMPLICATIONS: Nil.

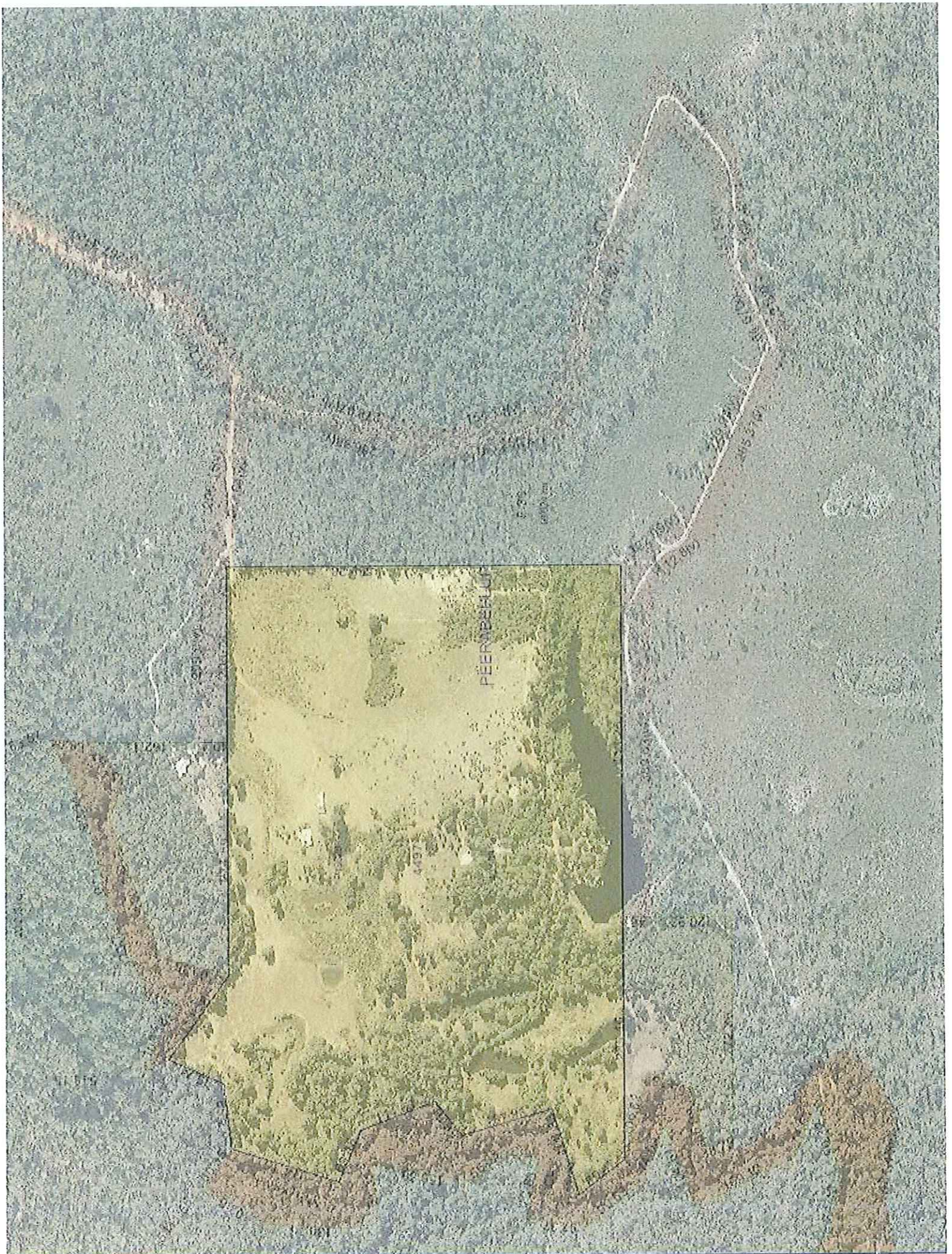
RECOMMENDATION:

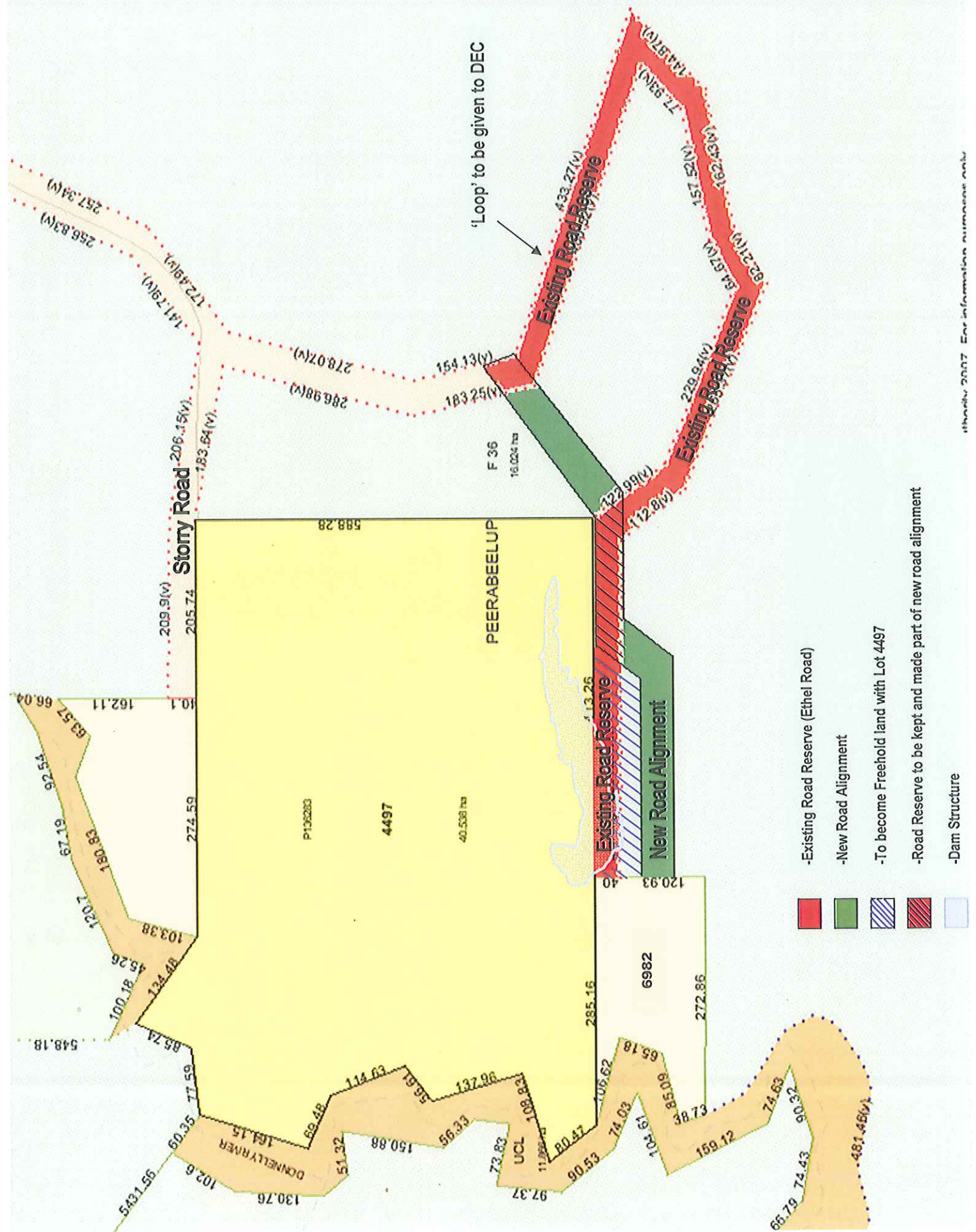
That Council agree to the realignment of Ethel Road by exchanging unneeded road reserve for the area of State Forest that is needed for the realignment as indicate on Attachment 2.

8574 BOULTER/CAMARRI

That Council agree to the realignment of Ethel Road by exchanging unneeded road reserve for the area of State Forest that is needed for the realignment as indicate on Attachment 2.

CARRIED 7/0



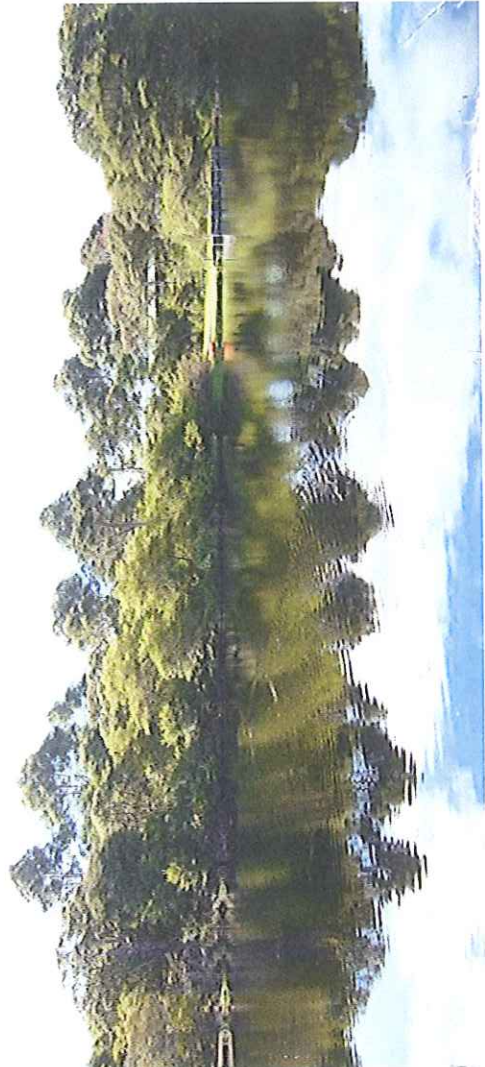




Lot 6982 Fence Line and Survey Peg for the Northern Boundary



Site View of Neighbouring Property (Lot 6982) from Lot 4497 Donnelly Lakes



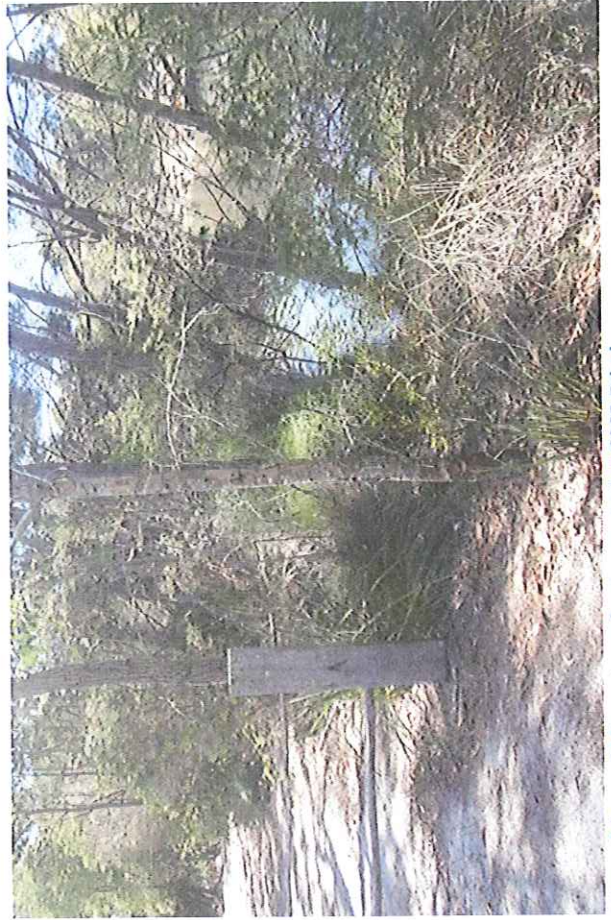
View from Neighbouring Property (Lot 6982) to Donnelly Lakes (Lot 4497)



Entrance to Lot 6982 Ethel Road



View from Lot 6982's entrance/driveway of constructed dam on Lot 4497



View of dam within metres of entrance to Lot 6982 Ethel

AGENDA NUMBER: 10.3
SUBJECT: Initiation of Local Planning Scheme No.3, Amendment 12 – Designation of
Bush Fire Prone Areas
LOCATION/ADDRESS: Whole of Shire
NAME OF APPLICANT: Shire of Nannup
FILE REFERENCE: TPL1
AUTHOR: Geoffrey Benson – Manager Development Services
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 16 March 2011

Attachments: 1. Draft LPP 019 – Designation of Bush Fire Prone Area
2. Draft Amendment No. 12 Documents

BACKGROUND:

The Shire of Nannup Local Planning Scheme No 3 was gazetted on 14 March 2007 and has been the subject of eleven amendments.

The West Australian Planning Commission (WAPC) and the Fire and Emergency Services Authority (FESA) have developed a set of guidelines for local governments to use to assess the risk of bushfire hazard in a proposed development. The objective of these guidelines is to protect life and property from bushfires. These guidelines are the *Planning for Bush Fire Protection Guidelines, edition 2, May 2010*.

The Building Code of Australia (BCA), Parts P2.3.4 and 3.7.4, controls the building of houses in declared bushfire prone areas. The BCA is satisfied if the house complies with Australian Standard AS3959 *Construction of Buildings in Bushfire Prone Areas*.

In the Local Planning Scheme No.3 for Nannup Shire, buildings in some Special Rural Zone areas with bushfire hazards must be constructed to AS3959. Other areas in bush fire prone areas do not carry this requirement. It is the purpose of this Amendment to apply these guidelines over the whole of the Shire of Nannup outside the Nannup Townsite.

At its meeting on 25 November 2010 Council passed the following resolution;

That Council resolve to prepare a planning policy to designate land in the Shire on which a residential building is proposed to be constructed to be a bush fire prone area in circumstances where the land:

1. *Contains or adjoins an area of forest of 1 hectare or more,*
2. *The proposed residential building is within 100 metres of a forest, and*
3. *The forest is of the vegetation type described as forest in Table 1 and Figure 1 of Appendix 1 in the WAPC/FESA publication*

Planning for Bush Fire Protection guidelines, edition 2, May 2010.

The proposed Local Planning Policy is attached at attachment 1

However advice from Western Australia Planning Commission staff indicates that the provisions in the Building Code of Australia, require an instrument of legislation to designate area as Bush Fire Prone and that a Local Planning Policy is not an instrument of legislation for the purposes of the Building Code of Australia.

COMMENT:

Due to the advice from the WAPC, mentioned above, staff have had the necessary documentation prepared to amend the Local Planning Scheme No.3, to include the necessary clause to designate areas of the district as Bush Fire Prone.

During the Scheme Amendment process there is a statutory advertising period of 42 day public comment period, for submissions on the proposed amendment, to be sent to the Shire.

It is proposed to advertise the amendment in all the relevant local papers, have notices up on notice boards around town and hold a community forum in the Shirley Humble Room, with Development Services Staff, and FESA representatives, to present the proposed amendment and its effects on properties in the Shire and to answer questions, so that members of the community can make submissions during the public comment period if they wish.

STATUTORY ENVIRONMENT:

The Planning and Development Act 2005 is the basis of the Shire's Local Planning Scheme (LPS3) and the State's Statement of Planning Policy 3.4 Natural Hazards and Disasters (SPP3.4).

The Shire's Local Planning Scheme No.3

In Clause10.2, three of the several matters to consider when dealing with applications for Council's approval of a proposed development are:

- (g) any Local Planning Policy adopted by the Council under the provisions of clause 2.4.....,
- (n) whether the land to which the application relates is unsuitable for the proposal by reason of it being or likely to be subject to – bushfire or any other risk;
- (q) whether the proposed means of access to, or egress from, the site are adequate.

State Planning Policy 3.4 - Natural Hazards and Disasters

Local government must have regard to this policy in the preparation or amendment of town planning schemes, strategies and policies, and when providing comment and advice that deal with applications that may be affected by natural hazards (clause 2).

The Policy applies throughout Western Australia and to the preparation and assessment of matters by the WAPC (clause 3) and to local planning schemes and their amendment (clause 4). It should be used by governments to determine those areas that are most vulnerable to bushfire and where development should not be recommended (clause 5). It authorises the WAPC to prepare guidelines for protection from hazards which should be considered in the determination of proposals (clause 6).

The WAPC/FESA publication *Planning for Bushfire Protection Guidelines* has a method in Appendix 1 to assess the level of the hazard from a bushfire in a particular area.

It authorises local government to identify hazards:

Bush fire prone areas may be designated by the local government. In designated bush fire prone areas, all new habitable buildings must comply with AS3959. For the purposes of the guidelines, all areas with a moderate or extreme bush fire hazard level are considered to be bush fire prone areas for planning new subdivisions and developments and for building controls. (page.4).

The Act, LPS3 and SPP3.4 give Council the power to designate a bush fire prone area. Once the local government designates an area to be bush fire prone, the area will be required to comply with AS3959 and a higher standard of house construction (Class 1 buildings under the BCA).

Consistent with the Model Scheme Text, Clause 8.2 (b) of the Scheme exempts the need for planning approval for a single house except where the proposal; -

- (i) requires the exercise of a discretion by the local government under the scheme to vary the provisions of the Residential Planning Codes;
- (ii) is located in a Heritage Area designated under the Scheme;
- (iii) requires the exercise of a discretion by the Council under the scheme to vary the setback provisions of a specific zone.

In order to ensure that the Council has the opportunity to impose planning conditions relating to bush fire management, this Amendment seeks to remove this exemption for single houses in a Designated Bushfire Prone Area.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council agree in pursuance of Section 75 of the Planning and Development Act 2005 to initiate and amendment to the Shire of Nannup Local Planning Scheme No. 3 by, adding provisions to designate a Bushfire Prone Area over the whole Shire outside the Nannup Townsite area.

8575 PINKERTON/BOULTER

That Council agree in pursuance of Section 75 of the Planning and Development Act 2005 to initiate and amendment to the Shire of Nannup Local Planning Scheme No. 3 by, adding provisions to designate a Bushfire Prone Area over the whole Shire outside the Nannup Townsite area.

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

LPP 019 Designation of Bush Fire Prone Area

BACKGROUND

For the protection of life and property from bushfires the West Australian Planning Commission (WAPC) and the Fire and Emergency Services Authority (FESA) developed a set of guidelines for local governments to use to assess the risk of bushfire hazard in a proposed development. These guidelines are the Planning for Bush Fire Protection guidelines, edition 2, May 2010.

The Building Code of Australia (BCA), Parts P2.3.4 and 3.7.4, controls the building of houses in declared bushfire prone areas. The BCA is satisfied if the house complies with Australian Standard AS3959 Construction of Buildings in Bushfire Prone Areas.

In the Local Planning Scheme No.3 for Nannup Shire, buildings in some Special Rural Zone areas with bushfire hazards must be constructed to AS3959. Other areas with bush fire hazards do not carry this requirement. Consequently, this policy is meant to apply to the whole of the Shire of Nannup.

STATUTORY ENVIRONMENT

The Planning and Development Act 2005 is the basis of the Shire's Local Planning Scheme (LPS3) and the State's Statement of Planning Policy 3.4 Natural Hazards and Disasters (SPP3.4).

The Shire's Local Planning Scheme No.3. In Clause10.2, two matters to consider when dealing with applications for Council's approval of a proposed development are:
(n) whether the land to which the application relates is unsuitable for the proposal by reason of it being or likely to be subject to – bushfire or any other risk.
(q) whether the proposed means of access to, or egress from, the site are adequate.

Statement of Planning Policy 3.4 Natural Hazards and Disasters.

Local government must have regard to this policy in the preparation or amendment of town planning schemes, strategies and policies, and when providing comment and advice that deal with applications that may be affected by natural hazards (clause 2). The Policy applies throughout Western Australia and to the preparation and assessment of matters by the WAPC (clause 3) and to planning schemes and their amendment (clause 4). It should be used by governments to determine those areas that are most vulnerable to bushfire and where development should not be recommended (clause 5). It authorises the WAPC to prepare guidelines for protection from hazards which should be considered in the determination of proposals (clause 6).

The WAPC/FESA publication Planning for Bushfire Protection guidelines has a method in Appendix 1 to assess the level of the hazard from a bushfire in a particular area.

It authorises local government to identify hazards:

Bush fire prone areas may be designated by the local government. In designated bush fire prone areas, all new habitable buildings must comply with AS3959. For the purposes of the guidelines, all areas with a moderate or extreme bush fire hazard level are considered to be bush fire prone areas for planning new subdivisions and developments and for building controls. (p.4).

The Act, LPS3 and SPP3.4 give Council the power to designate a bush fire prone area.

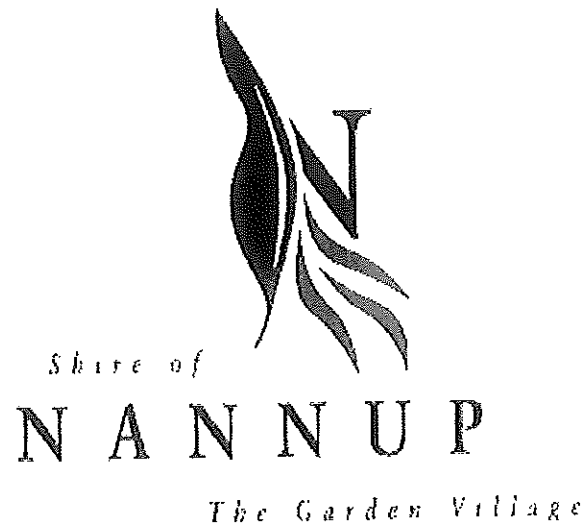
Policy Implications: The declaration of a bush fire prone area will implement AS3959 and a higher standard of house construction in areas that may be affected by a bushfire.

POLICY

Council shall designate land in the Shire to be a bush fire prone area in circumstances where:

1. a residential building is proposed to be constructed on land that contains or adjoins an area of forest of 1 hectare or more,
2. the proposed residential building is within 100 metres of a forest, and
3. the forest is of the vegetation type described as forest in Table 1 and Figure 1 of Appendix 1 in the WAPC/FESA publication *Planning for Bush Fire Protection guidelines , edition 2, May 2010.*

S. Collie
Chief Executive Officer.



TOWN PLANNING SCHEME No 3
(District Scheme)
AMENDMENT No 12

Designation of Bush Fire Prone Areas

March 2011

PLANWEST
(WA) PTY LTD A.B.N. 77 665 477 168

**CONSULTANTS IN PLANNING,
DESIGN AND MANAGEMENT**

PLANNING & DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

Shire of Nannup

LOCAL PLANNING SCHEME No 3

AMENDMENT No 12

RESOLVED that the Council in pursuance of Section 75 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

Adding provisions to designate a Bushfire Prone Area over the whole Shire outside the Nannup Townsite area.

Dated this day of20...

.....
Chief Executive Officer

.....
Date

FILE NO.....

PART OF AGENDA.

MINISTER FOR PLANNING AND INFRASTRUCTURE

PROPOSAL TO AMEND A SCHEME

- | | | |
|----|--|---|
| 1. | LOCAL AUTHORITY: | Shire of Nannup |
| 2. | DESCRIPTION OF LOCAL PLANNING SCHEME: | Local Planning Scheme No. 3 |
| 3. | TYPE OF SCHEME: | District Zoning Scheme |
| 4. | SERIAL NUMBER OF AMENDMENT: | Amendment No. 12 |
| 5. | PROPOSAL | To add a new Part to designate the whole Shire outside the Nannup Townsite area as a Bushfire Prone Area. |

REPORT BY: Shire of Nannup

1 INTRODUCTION

The Shire of Nannup seeks the WA Planning Commission's support and the Hon. Minister's approval to a Scheme Amendment that seeks to add a new Part to designate the whole Shire outside the Nannup Townsite area as a Bushfire Prone Area.

2 BACKGROUND

The Shire of Nannup Scheme No 3 was gazetted on 14 March 2007 and has been the subject of eleven amendments.

The West Australian Planning Commission (WAPC) and the Fire and Emergency Services Authority (FESA) have developed a set of guidelines for local governments to use to assess the risk of bushfire hazard in a proposed development. The objective of these guidelines is to protect life and property from bushfires. These guidelines are the *Planning for Bush Fire Protection Guidelines, edition 2, May 2010*.

The Building Code of Australia (BCA), Parts P2.3.4 and 3.7.4, controls the building of houses in declared bushfire prone areas. The BCA is satisfied if the house complies with Australian Standard *AS3959 Construction of Buildings in Bushfire Prone Areas*.

In the Local Planning Scheme No.3 for Nannup Shire, buildings in some Special Rural Zone areas with bushfire hazards must be constructed to AS3959. Other areas in bush fire prone areas do not carry this requirement. It is the purpose of this Amendment to apply these guidelines over the whole of the Shire of Nannup outside the Nannup Townsite.

The Council has prepared a draft Local Planning Policy (LPP) under the provisions of the Scheme. A copy of this LPP is included in **Attachment 1**. It is likely that this LPP will be adopted as an interim measure until this Amendment is finalised.

Whilst the LPP has been prepared and adopted under the provisions of the Scheme it is necessary that the Scheme also be amended to ensure that the provisions of the LPP are adhered to.

Other Councils have established that a LPP is not always supported by the State Administrative Tribunal (SAT) in appeal cases. The SAT has previously determined appeals against a Council that has based its decision on an adopted LPP.

3 STATUTORY ENVIRONMENT

The Planning and Development Act 2005 is the basis of the Shire's Local Planning Scheme (LPS3) and the State's Statement of Planning Policy 3.4 Natural Hazards and Disasters (SPP3.4).

The Shire's Local Planning Scheme No.3

In Clause 10.2, three of the several matters to consider when dealing with applications for Council's approval of a proposed development are:

- (g) any Local Planning Policy adopted by the Council under the provisions of clause 2.4....,
- (n) whether the land to which the application relates is unsuitable for the proposal by reason of it being or likely to be subject to – bushfire or any other risk.
- (q) whether the proposed means of access to, or egress from, the site are adequate.

State Planning Policy 3.4 - Natural Hazards and Disasters

Local government must have regard to this policy in the preparation or amendment of town planning schemes, strategies and policies, and when providing comment and advice that deal with applications that may be affected by natural hazards (clause 2).

The Policy applies throughout Western Australia and to the preparation and assessment of matters by the WAPC (clause 3) and to local planning schemes and their amendment (clause 4). It should be used by governments to determine those areas that are most vulnerable to bushfire and where development should not be recommended (clause 5). It authorises the WAPC to prepare guidelines for protection from hazards which should be considered in the determination of proposals (clause 6).

The WAPC/FESA publication *Planning for Bushfire Protection guidelines* has a method in Appendix 1 to assess the level of the hazard from a bushfire in a particular area. It authorises local government to identify hazards:

Bush fire prone areas may be designated by the local government. In designated bush fire prone areas, all new habitable buildings must comply with AS3959. For the purposes of the guidelines, all areas with a moderate or extreme bush fire hazard level are considered to be bush fire prone areas for planning new subdivisions and developments and for building controls. (page.4).

The Act, LPS3 and SPP3.4 give Council the power to designate a bush fire prone area. Once the local government designates an area to be bush fire prone, the area will be required to comply with AS3959 and a higher standard of house construction (Class 1 buildings under the BCA).

4 LOCAL PLANNING MANUAL

The WA Planning Commission has prepared an example of a Special Control Area to deal with bush fire management provisions in its Local Planning Manual (March 2010). However it is evident that a SCA over the whole Shire (except the Nannup Townsite) is not practical and an alternative method of designating bush fire prone areas is preferred.

5 EXEMPTION OF SINGLE DWELLINGS FROM PLANNING APPROVAL

Consistent with the Model Scheme Text, Clause 8.2 (b) of the Scheme exempts the need for planning approval for a single house except where the proposal; -

- (i) requires the exercise of a discretion by the local government under the scheme to vary the provisions of the Residential Planning Codes;
- (ii) is located in a Heritage Area designated under the Scheme;
- (iii) requires the exercise of a discretion by the Council under the scheme to vary the setback provisions of a specific zone.

In order to ensure that the Council has the opportunity to impose planning conditions relating to bush fire management, this Amendment seeks to remove this exemption for single houses in a Designated Bushfire Prone Area.

6 FORMAT OF PROPOSED PROVISIONS

The main objective of this Amendment is to designate areas of the Shire as 'Bushfire Prone' to ensure that the Australian Standards 3959 are made obligatory.

In order to do this a new Part will be inserted in the Scheme that refers to a plan that designates the 'Bushfire Hazard Assessment Plan' of the Shire. This plan will sit outside the Scheme and may be amended from time to time.

This Plan shall be referred to as Designated Bushfire Prone Area Plan and be made available at the Shire office for inspection.

The provisions will include the following clauses;

'PART 13 - DESIGNATED BUSHFIRE PRONE AREAS

13.1 A Designated Bushfire Prone Area is any area identified on the Bushfire Hazard Assessment Plan. Dwelling construction within Bushfire Prone Area will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia (BCA) and Australian Standard 3959.

13.2 The Bushfire Hazard Assessment Plan held at the local government offices (and as may be amended from time to time) form part of the Scheme for the purposes of this clause.

13.3 The Bushfire Hazard Assessment Plan may designate specific hazard levels as and when this information becomes available.

13.4 If an owner disputes the designation of his land within a Bushfire Prone Area that owner may request in writing the local government to reconsider that designation.

13.5 On receiving a request made under clause 13.3, the local government may, by notice in writing served on the person who made the request, determine that -

- a) the land is not within a Designated Bushfire Prone Area;
- b) the land is in an alternative hazard level; or
- c) the designation of the land on the Bushfire Hazard Assessment Plan is correct.

7 CONCLUSION

In view of the consistency of this Amendment with State policy, the Amendment will be advertised for submissions on receipt of clearance from the Environmental Protection Authority.

PLANNING AND DEVELOPMENT ACT 2005

Shire of Nannup

LOCAL PLANNING SCHEME No. 3

AMENDMENT No 12

The Nannup Shire Council under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005, hereby amends the above Local Planning Scheme by:

- 1 Inserting a new Part in the Scheme as follows;

'PART 13 - DESIGNATED BUSHFIRE PRONE AREAS

13.1 A Designated Bushfire Prone Area is any area identified on the Bushfire Hazard Assessment Plan. Dwelling construction within Bushfire Prone Area will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia (BCA) and Australian Standard 3959.

13.2 The Bushfire Hazard Assessment Plan held at the local government offices (and as may be amended from time to time) form part of the Scheme for the purposes of this clause.

13.3 The Bushfire Hazard Assessment Plan may designate specific hazard levels as and when this information becomes available.

13.4 If an owner disputes the designation of his land within a Bushfire Prone Area that owner may request in writing the local government to reconsider that designation.

13.5 On receiving a request made under clause 13.3, the local government may, by notice in writing served on the person who made the request, determine that -

- a) the land is not within a Designated Bushfire Prone Area;
- b) the land is in an alternative hazard level; or
- c) the land's designation on the Bushfire Hazard Assessment Plan is correct.

- 2 Delete the full stop at the end of sub-clause 8.2 (b) (iii) and replace it with a semi-colon.

- 3 Inserting a new sub-clause as follows;

'8.2 (b) (iv) is included in a Designated Bushfire Prone Area as identified on the Bushfire Hazard Assessment Plan referred to in Part 13.'

PLANNING & DEVELOPMENT ACT 2005

Shire of Nannup

LOCAL PLANNING SCHEME No. 3

AMENDMENT No. 12

ADOPTION

Adopted by resolution of the Council of the Shire of Nannup at the meeting of the
Council held on the day of20.....

.....
SHIRE PRESIDENT

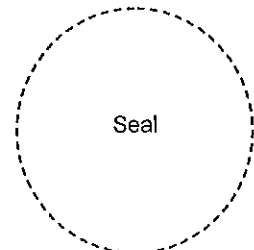
.....
Date

.....
CHIEF EXECUTIVE OFFICER

.....
Date

FINAL APPROVAL

Adopted for final approval of the Shire of Nannup at the meeting of Council held on the
..... day of 20..... and the
Common Seal of the Shire of Nannup was hereunto affixed by the authority of a
resolution of the Council in the presence of:



.....
SHIRE PRESIDENT

.....
Date

.....
CHIEF EXECUTIVE OFFICER

.....
Date

RECOMMENDED/SUBMITTED FOR FINAL APPROVAL

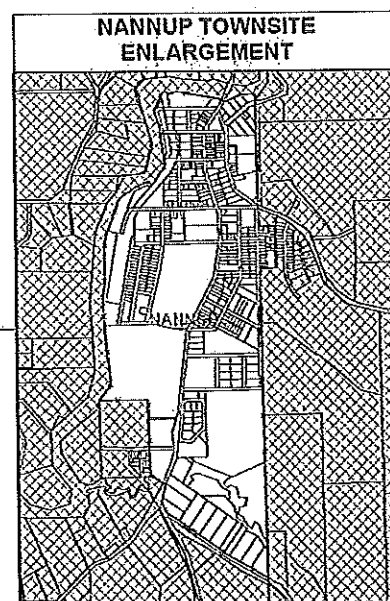
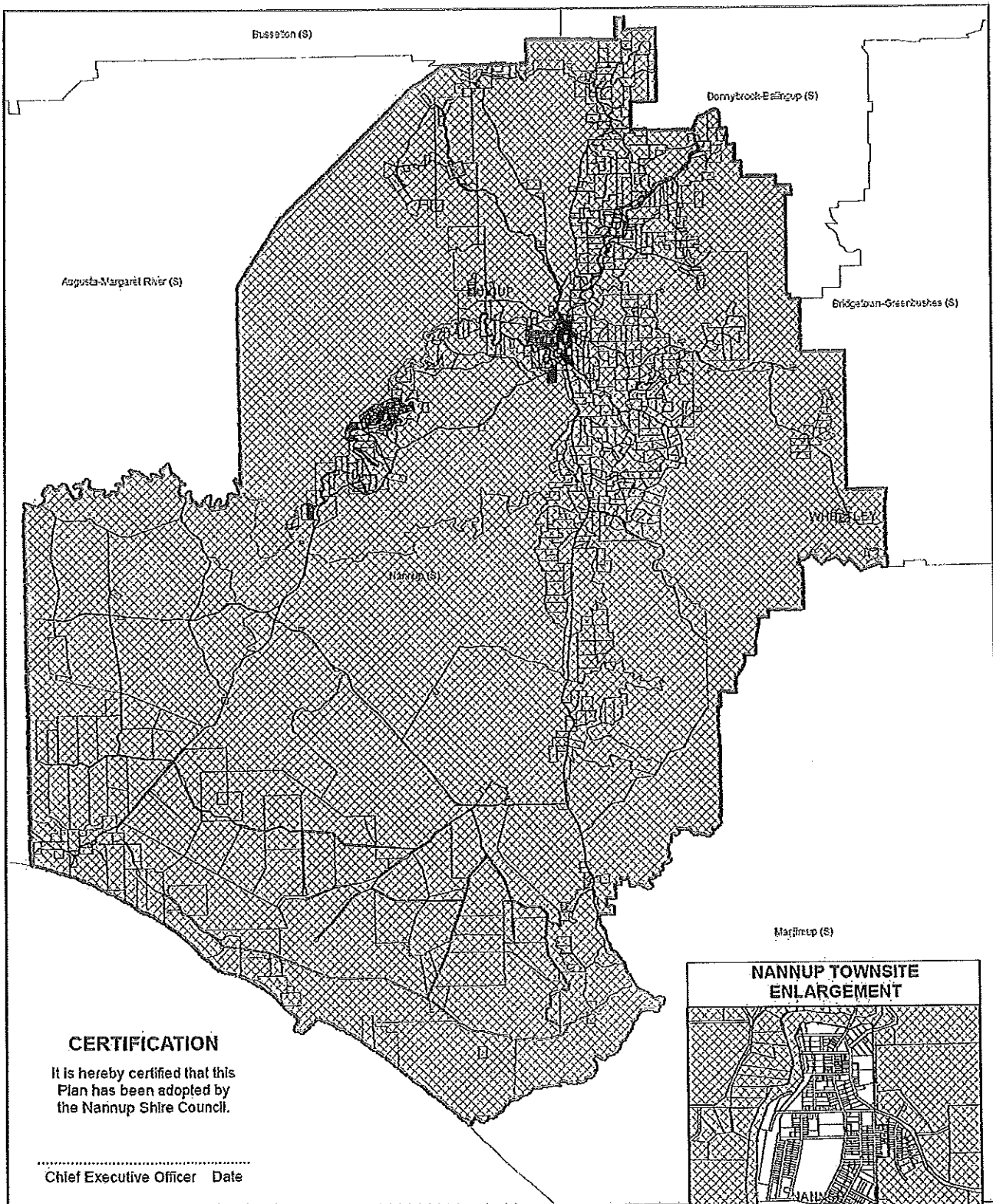
.....
Delegated under S. 16 of PD Act 2005

.....
Date

FINAL APPROVAL GRANTED



.....
MINISTER FOR PLANNING

.....
Date



BUSHFIRE HAZARD ASSESSMENT PLAN

Legend

-  Designated Bushfire Prone Area
-  Shire of Nannup Boundary


SCALE 1:250,000
(at A3)

PLANWEST (WA) Pty Ltd

March 2011

AGENDA NUMBER: 10.4
SUBJECT: Mowen Road
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: R047
AUTHOR: Chris Wade – Works Manager
DISCLOSURE OF INTEREST:
DATE OF REPORT: 10 March 2011

BACKGROUND:

Mowen Road is an ongoing road construction project funded entirely through Main Roads Western Australia. The current estimated completion year will be 2015/16. Council's approach to the management up to date had been to supply as many of its own resources as possible with the normal works program being adjusted accordingly with resealing and gravel processing. There has not been any formal endorsement of this approach.

COMMENT:

The 2011/12 construction works on Mowen Road can be managed in several different ways;

- Continue as per 2010/11 will full resource commitment
- Partial resource commitment and complete council's own road construction program
- Only complete council's road program and use contractors on Mowen Road

The preferred option would be option 2 for the coming year and the following year go back to full resource commitment again. This option will still allow council to obtain an income on a private works basis employing casual labour and supplying plant as available for the project.

It will also be a positive for rate payers to see more activity on local roads. Next year's normal construction program will be reasonably busy as Council have requested the addition of two extra roads.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

A budget windfall of approx \$40,000 for Supervision Fees (Private Works income) in 2011/12.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council endorse partial resource commitment to Mowen Road construction in 2011/12 and complete Council's own road construction program.

8576 MELLEMA/CARMARRI

That Council endorse partial resource commitment to Mowen Road construction in 2011/12 and complete Council's own road construction program.

CARRIED 7/0

Cr Dunnet declared an interest affecting impartiality in the following item.

AGENDA NUMBER: 10.5 SUBJECT: Main Street Upgrade LOCATION/ADDRESS: Warren Road NAME OF APPLICANT: FILE REFERENCE: WRK33 AUTHOR: Chris Wade – Works Manager DISCLOSURE OF INTEREST: DATE OF REPORT: 9 March 2011
--

Attachments: 1. Briefing Notes
2. Plan – Large copy on pin up board

BACKGROUND:

As part of Council's Forward Plan, the upgrade of Nannup's Main Street is programmed to commence in 2011/12. These works will include road surface, road markings, drainage, footpaths, street furniture and other miscellaneous items that Council desire subject to funding and budget deliberations.

COMMENT:

Mr Bret Howson from Howson Technical has been engaged to develop a draft concept plan for the main street upgrade of Nannup. The attached briefing sheet highlights the brief and description of the conceptual plan that was provided to Councillor's at its February Information Session.

Council will have attended a workshop this afternoon and considered the draft 'Main Street Conceptual Development Plan'. A public consultation session will follow next month and then Council will have another workshop session before the plan is submitted to Council for adoption.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

Subject to funding and budget deliberations the estimated cost of the project is \$3million to be staged over two years.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council endorse the draft 'Main Street Conceptual Development Plan' subject to:

- Changes arising *out of* workshops
- Public consultation

8577 GILBERT/BOULTER

That Council endorse the draft 'Main Street Conceptual Development Plan' subject to:

- Changes arising *out of* workshops
- Public consultation

CARRIED 7/0

Nannup Mainstreet Development – Briefing Note

Summary

The Nannup Mainstreet Development Project is the upgrade of Vasse Highway (Warren Road) through Nannup Townsite. The section involved in this project is from the Vasse River Bridge to Kearney Street, approximately 720m.

The project aims to enhance the safety and appearance of the mainstreet with the following key results:

- Maximising retail opportunities by improving shop accessibility and parking.
- Improve both the on-street and off-street parking facilities.
- Improvements to drainage in the town centre which is currently subject to flooding in heavy rainfall.
- Improvement to pedestrian safety and the movement all types of vehicles, including heavy vehicles.
- Enhancement of the appearance of the main street of town through landscaping.

Concept Theme

A conceptual plan has been developed to “start the ball rolling”. The theme behind creating this plan was to open up the mainstreet by removing hard barriers and conflict points such as the restrictive median islands and intersection nibs. Whilst these features are proven traffic management techniques, they generally give a more aggressive appearance to a street or road. The conceptual plan proposes the use of coloured asphalt, bold line marking and landscaping to provide a passive narrowing effect to the street.

Ownership

The mainstreet in Nannup is actually Vasse Highway, which falls under the control of Main Roads Western Australia. However, Main Roads over the past few years have amended their responsibility through townsites only to include the central 8.5m of the road, the remainder falls under the control the Local Authority.

This means that any works on Vasse Highway, or works which are adjoining Vasse Highway must be approved by Main Roads before they can commence. It is proposed to approach Main Roads in Bunbury as soon as possible with this project to ensure sufficient time for Main Roads to make budget allowance any proposed contributions in the 2011/12 financial year.

Consultation Strategy

This is a major project for the Shire, and as part of its commitment to the community, it is proposed to ensure the community, key stakeholders and the Council have ample opportunities to provide input into key aspects of the project. Objectives have been developed which aim to identify the methods required to achieve this project.

The objectives are:

- To engage the community and stakeholders in developing a vision for Nannup's mainstreet.
- To provide opportunities for community and stakeholders to gain meaningful input into relevant aspects of the project.
- To ensure the community is informed about the project as it progresses.

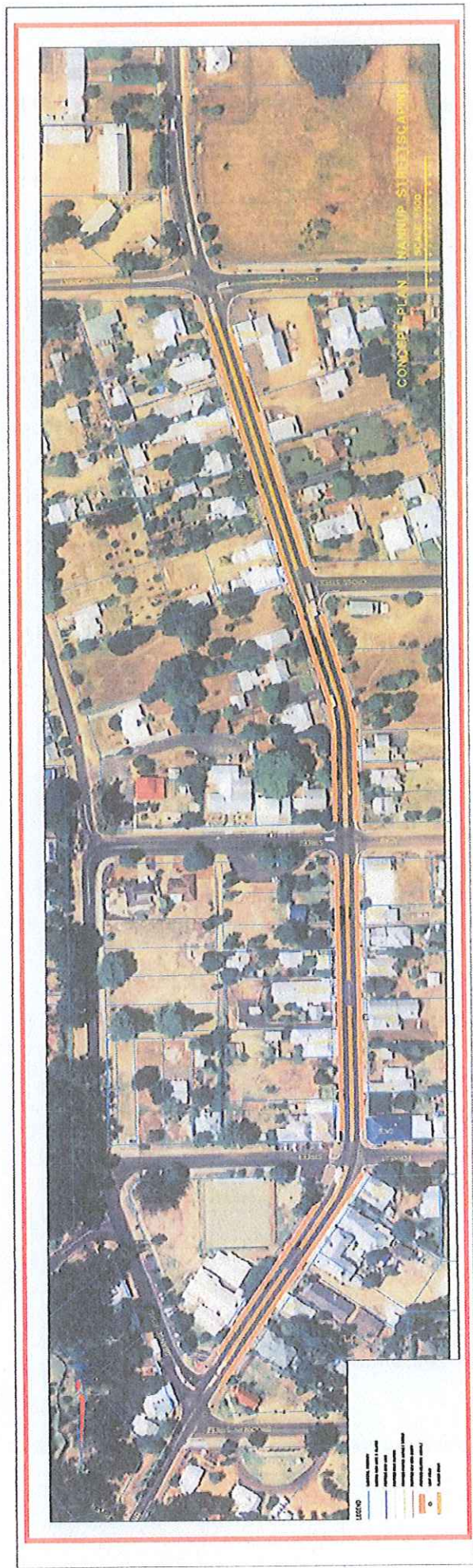
Timeline

The proposed timeframe for this project is summarised as follows:

- Conceptual design – March 2011.
- Consultation Strategy – April 2011.
- Preliminary Design – May 2011.
- Final Design, Specifications and Contract Documents – June 2011.

Budget

At this stage, the budget to have "construction ready" documents is \$15,000. The estimate for the entire construction works is \$3million.



AGENDA NUMBER: 10.6
SUBJECT: Forward Plan 2011/12
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: ADM 3
AUTHOR: Jim Kelly Acting Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 15 March 2011

Attachment: Draft Shire of Nannup Forward Plan – 2011/12-2015/16 –
Separate Cover

BACKGROUND:

Council adopted its 2010/11 to 2014/15 Forward Plan in April 2010.

Section 19C (4) of the Local Government (Administration) Regulations 1996 stipulates that a local government is to review its current plan for the future of its district every 2 years and may modify the plan, including extending the period the plan is made in respect of.

Council's present Forward Plan is hence due for a formal review in the next financial year 2011/12 for the next five years commencing 2012/13. It is prudent however to look at aspects of the current plan that will impact on Council's 2011/12 budget.

COMMENT:

While not a formal review and document reprint there are a number of areas of significant expenditure that Council is advised to look at and make determinations on as part of its 2011/12 budget development process. These areas are in the main major items noted in the Appendices to the current Forward Plan as noted in the attachments.

The following matters are noted as completed/discontinued (or soon to be completed) in the present Forward Plan and have been deleted or amended in the document now presented:

ACTION PLAN

NUMBER

DETAILS

4.1 A	Council decided against reducing councillor numbers
4.1 B	Elections to be conducted by Council
8.1 B	Plans for Occasional Day Care facility prepared
9.1 C	Loan 36 paid out
9.2 A	Agreement with GEHA on Grange Rd duplex finalised
9.2 B	GEHA duplex being converted to child care facility

9.2 D	Public housing plan for Nannup resolved
11.1 B	Nannup CRC have finalised plans for new premises
11.2 B	Planning for Recreation precinct to be completed by 30/6/2011
11.2 A	Business Plan and site survey for Rec. Centre completed
11.2 C	Funds have been transferred
11.3 B	Bus shelter in Warren Rd replaced or relocated
11.3 C	Seal and kerb in Warren Rd done
12.1 D	Mowen Road construction plans now in place
12.2 C	Funds for upgrade of main street now transferred to reserve
12.2 D	Loan 32 repayments now finished
12.2 E	Planning for main street upgrade to be completed by 30/6/2011
12.3 A	Review of plant replacement program completed
12.4 B	Parking plan for Warren rd completed
13.2 C	Canoe launch points at Jalbarragup and old Railway bridges done
13.2 H	Regional trails for Bibbulmun Track and Munda Biddi trail complete

The purpose of this item is to adopt for inclusion into the first draft of the budget the key areas of Council's operations as attached in the eight appendices. Depending on the overall financial position of Council, and any other factors relevant, any one of these documents may be changed throughout the budget development process. The intent is to give Council a base position to commence the development of the budget by having clear guidance on the major components of the budget.

STATUTORY ENVIRONMENT:

Section 5.56(1) of the Local Government Act 1995 requires a Local Government to plan for the future of the district and as indicated review the plan once every 2 years. Council has satisfied that requirement and this item goes beyond this compliance aspect.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

Council is required to have regard to the Forward Plan when setting annual budgets though it is not bound to follow the contents of the plan. The financial aspects of these major expenditure items is as stated in the attached documents and will be fed into the first draft of the budget process.

STRATEGIC IMPLICATIONS:

Council's Forward Plan is the key planning document for Council for the next five years and is the basis for the development of annual budgets.

RECOMMENDATION:

That Council adopt the Shire of Nannup Forward Plan 2011/12 – 2015/16

8578 CAMARRI/BOULTER

That standing orders be suspended.

CARRIED 6/1

Voting for the motion: Dunnet, Camarri, Boulter, Gilbert, Mellema and Pinkerton.

Voting against the motion: Dean.

Standing Orders were suspended at 4.28pm.

8579 PINKERTON/BOULTER

That Standing Orders be resumed.

CARRIED 7/0

Standing Orders were resumed at 4.59pm.

8580 MELLEMA/PINKERTON

That Council adopt the Shire of Nannup Forward Plan 2011/12 – 2015/16

CARRIED 7/0

AGENDA NUMBER: 10.7
SUBJECT: Constitutional Recognition of Local Government
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: ADM 18
AUTHOR: Jim Kelly Acting Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 14 March 2011

BACKGROUND:

The topic of local government seeking recognition in the Australian Constitution has been around for decades – possibly as many as four.

COMMENT:

Usually the 'agenda' for attempting to get some decision on this matter has in the first instance been with the state associations representing local governments and then ultimately the national body – Australian Local Government Association (ALGA).

Some local governments have a standing policy on supporting the idea of constitutional recognition of local government. Certainly the WA Local Government Association (WALGA) would have such a policy.

The current push for constitutional recognition has arisen from two fronts –

1. Following the 2010 Federal Election Prime Minister Gillard committed to holding a dual referendum on the constitutional recognition of local government and the recognition of Indigenous Australians.
2. A High Court decision (*Pape v Federal Commissioner of Taxation*) in 2009 meant that the Australian Government does not have the power to fund local government directly.

ALGA recently wrote to all Mayors and Presidents in Australia asking local governments to –

1. Pass a resolution endorsing the position that a referendum be held by 2013 to change the Constitution to allow direct funding of local government by the Commonwealth Government and also to include local government in any new Preamble to the Constitution if one is proposed.
2. Write to the Prime Minister and the Leader of the Opposition and local Federal Member of Parliament seeking their support for Council's resolution.

This all seems to be a worthwhile action to take.

ALGA has provided a draft of the resolution to be passed by Council and proformas for the letters to the politicians.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That the Council of the Shire of Nannup declares its support for financial recognition of local government in the Australian Constitution so that the Federal government has the power to fund local government directly and also for inclusion of local government in any new Preamble to the Constitution if one is proposed and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.

8581 BOULTER/CAMARRI

That the Council of the Shire of Nannup declares its support for financial recognition of local government in the Australian Constitution so that the Federal government has the power to fund local government directly and also for inclusion of local government in any new Preamble to the Constitution if one is proposed and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.

CARRIED 7/0

AGENDA NUMBER: 10.8
SUBJECT: Honorary Freeman Policy
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: ADM 18
AUTHOR: Jim Kelly, Acting Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 14 March 2011

Attachment: Shire of Busselton policy on Honorary Freeman

BACKGROUND:

This matter was reported to Council via the February 2011 Information Report and it was proposed then that a report would be submitted to Council in March for Council to consider if it wanted to adopt a policy on conferring the title of Honorary Freeman on one of its citizens from time to time.

COMMENT:

Many local governments have in place a policy dealing with the process for Council bestowing upon one of its residents the title of Honorary Freeman. The origin of this title probably comes from our links to the Westminster system of government and councillors would have heard of the title 'Freeman of the City' or being granted 'Keys to the City'. It is understood that these titles may date back centuries.

Granting of Honorary Freeman is not a specific power under the Local Government Act 1995 but rather something that can be done within the ambit of the general competency powers of the Act.

Usually the title does not carry with it any monetary benefits and certainly not free rates. The recipient might automatically go on the invite list for civic functions. An honour board could be maintained with the names of people awarded Honorary Freeman. A name badge could be provided and or a special lapel pin or broach struck that the recipient could wear that would signify the award to the other citizens. Such an award could be compared to honours bestowed under the Australian Honours system in that the award is very important and the highest local honour that can be awarded and nothing more or less.

One example of another local government's (Busselton) policy is attached.

Before a formal policy is prepared direction from Council is sought on the principle of whether or not Council wants to put in place such a policy.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council support in principle the idea of having a policy to confer the title of Honorary Freeman on any resident of the Shire of Nannup and staff prepare a detailed policy for consideration at a later meeting.

8582 DEAN/BOULTER

That Council support in principle the idea of having a policy to confer the title of Honorary Freeman on any resident of the Shire of Nannup and staff prepare a detailed policy for consideration at a later meeting.

CARRIED 5/2

Voting for the motion: Dunnet, Boulter, Dean, Gilbert and Pinkerton.

Voting against the motion: Camarri and Mellema.

Shire of Busselton Policy

121/1	Honorary Freeman	Current
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The Council may, by a resolution passed by an absolute majority of members, confer upon any resident of the local government the title 'Honorary Freeman of the Local Government' using the following criteria as the base:

1. The resident has been recommended as a candidate by Council or any resident, elector, ratepayer, community or sporting group of the local government.
2. The nomination is supported by such information as is necessary for Council to make an informed decision on the matter.
3. The matter is to be considered with closed doors at a meeting of the Council.
4. The conferral of an Honorary Freeman of the Local Government will generally be for:
 - Long and/or distinguished service to the community of the local government.
 - An achievement in any sphere which brings the local government area wide recognition.
 - As a mark of appreciation for a service or services rendered by the Council, community, sport, environment and/or business of the local government.
5. That a suitable ceremony is arranged at which the honour is conferred upon the recipient.

AGENDA NUMBER: 10.9
SUBJECT: Recreation Precinct Masterplan
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: rec 2 FNC 16
AUTHOR: Jim Kelly, Acting Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 14 March 2011

Attachments: Separate Cover
 1. Workshop Notes/outcome
 2. Briefing Notes for Architects
 3. Amended (New) plans for three options
 4. Quantity Surveyor Costing
 5. QS Costing (in different format)

BACKGROUND:

A lengthy report (Item 10.2) was submitted to the February 2011 Council Meeting and it was resolved (8571):

That Council hold a workshop at 9.00am on the 1st March 2011 to discuss the Recreation Precinct Masterplan.

The workshop was held on 1 March 2011 and all councillors attended. The notes/outcomes from the workshop are attached.

Approximately three hours of fruitful discussion resulted in the following outcome from the workshop:

The councillors agreed that prior to formally considering this whole subject at the March 2011 Council meeting they would like to have more information which mainly centred on some indicative costs for each option and some basic floor plans.

It was agreed that the CEO request the Architects to:

- 1. Provide a cost to prepare the basic floor plans and do a costing of the 3 options*
- 2. Subject to the cost for the architects to do the work being acceptable to the CEO he authorise the work to proceed and be available for the Council meeting on March 24.*

COMMENT:

The briefing notes provided to the Architects on 1 March 2011 following the workshop with the Councillors are attached.

In summary the Architects were requested to:

1. Provide a cost to prepare the basic floor plans and do a costing of the 3 options (1) existing Masterplan subject to important variations (2) Combine the Nannup Sports Club proposal with the existing recreation Centre and (3) new recreation centre complex)
2. Subject to the cost for the architects to do the work being acceptable the work to proceed and be available for the Council meeting on March 24.

Time lines were given to the Architects as follows:

- Come back with costing by Friday 4 March 2011
- Subject to being advised by Tuesday 7 March to proceed have plans and costing available by Monday 14 March 2011.

Costs for the Architect to prepare plans for the three options are \$6900 and detailed as follows:

1.	Design each option \$1500 ea, including design, drafting, preparation of works summary report for QS	4,500.00
2.	1 day trip /meeting at Nannup - \$1,000 (including travel and attendance)	1,000.00
3.	General Project management – including liaison/meetings with QS	1,400.00
	TOTAL	\$6,900.00

The Architects have also advised that the last two trips to Nannup have not been charged for.

The cost of the Quantity Surveyor (QS) will be \$2700 and this is included in the original fees approved when the Architects were appointed back in August 2010.

After discussing the information received from the Architect with the Shire President the Acting CEO decided to instruct the Architects to proceed.

Amended Plans for Three Options

The Architects have now come back with the work that they were briefed to do and have advised as follows:

Please find attached:

- Full set of numbered drawings. (A-01 – to A-09 inclusive). If printed at A3, site plans will be 1:1000, and general layout plans will be 1:200.

- *Draft copy of summary design report document in response to the client's brief.*

You will note we have decided to make a site plan for each option.

I have also printed second version of each site plan with a measure of the area for each distinct 'stage' or 'package'.

Option 1: A-01 to A-03

Option 2: A-04 to A-05

Option 3: A-06 to A-07

A-08 and A-09 show the expansion options to the existing sports hall for options 1 and 2.

We need a comparative assessment of the two alternatives –

- a) extend existing hall or*
- b) demolish and build a new sports hall.*

For the purposes of the overall cost plan comparisons for each option, we will apply the less costly of the two alternatives to Option 1 & 2.

All options will yield the same minimum footprint required to suit the standard basketball court outline.

In terms of cost breakdown for each option, we are aiming to provide the following cost breakdown:

Option 1:

- 1. General landscape & external improvements (including new stormwater culvert)**
- 2. Existing sports hall*
 - Sports hall*
 - Other areas*
- 3. Bowling Green*
- 4. Hydrotherapy centre*
- 5. Nannup Sports Club*

Option 2:

- 1. General landscape & external improvements (including new stormwater culvert)**
- 2. Existing sports hall*
 - Sports hall*
 - Other existing areas*
 - New areas*
- 3. Bowling Green*
- 4. Hydrotherapy centre*

Option 3:

1. *General landscape & external improvements (including new stormwater culvert)**
2. *New sports hall*
3. *Bowling green*
4. *Hydrotherapy centre*

**Note: community bus shelter & garden store are included in this package for all options.*

Addendum to Report (distributed 22 March 2011)

The Quantity Surveyor (QS) has now provided the costs for the three options and these are attached. The exclusions and notes on page 3 of each option are to be noted.

Another way to look at the costs is to see what each part of the overall project costs is taking into account the contingencies, professional fees, escalation etc (on costs).

Indicative tables based on the QS information have been prepared showing these individual all up cost and these are attached.

More or less the cost of the Bowling Green and Hydrotherapy Pool is the same in each option. For the purpose of focusing on the most likely first stage of the Recreation Precinct Project the costs of the Bowling Green and the Hydrotherapy Pool are not referred to any further in this report.

Therefore we are to consider in Option 1 a new Sports Club and existing Recreation Centre (referred to as the 'Sports Hall' by the QS); in Option 2 it is the existing Recreation Centre (with additions); Option 3 is a new Recreation Centre. Options 2 and 3 include all the facilities in the Sports Club component in option 1.

In summary the costs of the 3 Options for the Sports Club and the Recreation Centre are:

Option 1 New Sports Club	2,238,792	
Upgrade Recreation Centre	<u>1,334,382</u>	\$3,573,174
Option 2 Upgrade Recreation Centre and include Sports Needs		\$1,962,454
Option 3 New Recreation Centre and include Sports Needs		\$3,219,608

There is an amount in each Option for 'Landscaping'. This item covers major site works and other minor components such as the Community Bus Shelter. The cost of these works us Option 1 \$774,400, Option 2 \$776,597 and Option 3 \$774,780. Whichever option is supported the relevant cost of this Landscaping item should be added.

The following for and against (+ and -) for each option is put forward:

OPTION 1	OPTION 2	OPTION 3
+satisfies Nannup Sports Assoc wants	+realistic budget and the lowest cost option	+new building and will appeal to all existing and potential users
+will provide external vista from the Sports Club for users	+satisfies all needs and matches Nannup's size	+lower maintenance costs overall
+new building will be less to maintain than existing building.	+easiest option to manage and operate	+because of location – better vista to oval and golf course
-two buildings to maintain and manage	-inconvenience to users during construction	+design can be better customised to meet users needs
-the most costly option by \$1,610,720 vs. Option 2	-no vista to oval or golf course	-public perception of knocking down a useable existing building.
-no geotechnical work done on site	-higher maintenance costs because of older building	-second highest cost
-duplication of facilities		

Particularly taking into account the estimated costs of all 3 options in is considered that Option 2 presents the best option for Council to proceed with and incorporate in the Masterplan for the Recreation Precinct.

The next step would be to seek out funding options and present Council with a financing strategy.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

Original Grant	50,000
Original fee on engagement August 2010	-17,850
Increased scope of design review agreed to by CEO 1 December 2010	-2,500
Structural and Civil Consultant for Sports Hall agreed to by the CEO 1 December 2010	-1,500
Sub total	25,150

Prepare plans for 3 options, agreed to by the A/CEO, March 2011	-6,900
Cost analysis by QS include in original submission	-2,700
Balance to go towards plans and design ready to call tenders	\$18,550

However there is an important issue with the above balance that Council needs to consider.

When this Royalties for Regions (R4R) grant was first approved in 2009 it was for

'the initial concept design plan for the Nannup Recreation precinct to ensure provision of appropriate facilities'.

A condition of the grant was that the project would be completed by 2nd April 2010 and acquitted by 29 June 2010.

The grant was paid to the Shire in full on 16 December 2009.

We have successfully applied for an extension to this condition and currently the project was to be completed by 31st December 2010 and acquitted by 28 March 2011.

Recent contact has been made with the South West Development Commission (SWDC) who is administering the R4R grant explaining the current status of the project and to see if we could obtain further extension.

The SWDC have advised that if you require a further extension to this project that a letter of request is forwarded to the Commission.

In the event of there being further delay in moving forward with this project it could mean that Council will have to forgo the balance of the grant (\$18,550) and actually send the funds back. That is the ***important issue Council needs to consider.***

There is also the issue of to what extent the delay with the expenditure and acquittal of this grant will have on other projects we are seeking funding for through the R4R program.

STRATEGIC IMPLICATIONS:

Council's current Forward Plan Action Item 11.2 (A) states for 2010/11:

"Complete business plan, needs analysis and site survey for proposed Recreation Centre upgrade."

Council's current Forward Plan Action Item 11.2 (B) states for 2010/11:

"Develop plans/design and seek funding for upgrade to the Recreation Centre."

Prepare plans for 3 options, agreed to by the A/CEO, March 2011	-6,900
Cost analysis by QS include in original submission	-2,700
Balance to go towards plans and design ready to call tenders	\$18,550

However there is an important issue with the above balance that Council needs to consider.

When this Royalties for Regions (R4R) grant was first approved in 2009 it was for

'the initial concept design plan for the Nannup Recreation precinct to ensure provision of appropriate facilities'.

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Recent contact has been made with the South West Development Commission (SWDC) who is administering the R4R grant explaining the current status of the project and to see if we could obtain further extension.

The SWDC have advised that if you require a further extension to this project that a letter of request is forwarded to the Commission.

In the event of there being further delay in moving forward with this project it could mean that Council will have to forgo the balance of the grant (\$18,550) and actually send the funds back. That is the ***important issue Council needs to consider.***

There is also the issue of to what extent the delay with the expenditure and acquittal of this grant will have on other projects we are seeking funding for through the R4R program.

STRATEGIC IMPLICATIONS:

Council's current Forward Plan Action Item 11.2 (A) states for 2010/11:

"Complete business plan, needs analysis and site survey for proposed Recreation Centre upgrade."

Council's current Forward Plan Action Item 11.2 (B) states for 2010/11:

"Develop plans/design and seek funding for upgrade to the Recreation Centre."

Council's current Forward Plan Action Item 11.2 (C) states for 2011/12:

"That Council undertake the upgrade to the Recreation (and Community) Centre per adopted plans and funding available."

RECOMMENDATION

1. That Council endorse the action of the Acting CEO in authorising the Architects to proceed at a cost of \$6,900 for further plans in line with the outcome of the workshop with the Councillors on March 1, 2011 and the cost of the Quantity Surveyor at a cost \$2,700 be noted.
2. That Council adopt in principle the Masterplan for the Recreation Precinct incorporating Option 2 plans and costing as presented to this meeting be adopted.
3. That the CEO proceed as soon as possible to explore all funding sources for the first phase of the Recreation Precinct Masterplan which incorporates the Recreation Centre and Landscaping (site) works at an estimated cost of \$2,739,011 and report to Council on a funding strategy for the works.
4. That subject to point 3, the CEO prepare for Council's consideration a project plan including indicative time lines for the first phase of the Recreation Precinct Masterplan which incorporates the Recreation Centre and Landscaping (site) works
5. That the CEO urgently seek approval of the South West Development Corporation to extend the time to expend the balance (\$18,550) of the original grant for the preparation of plans for the Recreation Precinct

8583 CAMARRI/GILBERT

That Standing Orders be suspended.

CARRIED 7/0

Standing Orders were suspended at 5.03pm.

8584 DEAN/BOULTER

That Standing Orders be resumed.

CARRIED 6/1

Voting for the motion; Dunnet, Boulter, Dean, Gilbert, Mellema & Pinkerton.

Voting against the motion; Camarri.

Standing Orders were resumed at 5.42pm.

8585 DEAN/BOULTER

1. That Council endorse the action of the Acting CEO in authorising the Architects to proceed at a cost of \$6,900 for further plans in line with the outcome of the workshop with the Councillors on March 1, 2011 and the cost of the Quantity Surveyor at a cost \$2,700 be noted.
2. That Council adopt in principle the Masterplan for the Recreation Precinct incorporating Option 1 plans and costing as presented to this Council.
3. That this Council endorse the new Sports Club and Bowling Rink as stage 1 of this project with the existing Recreation Centre as phase 2. The CEO to proceed as soon as possible to explore all funding sources.
4. That subject to point 3, the CEO prepare for Council's consideration a project plan including indicative time lines for the first phase of the Recreation Precinct Masterplan which includes the new sports club and bowling rink.
5. That the CEO urgently seek approval of the South West Development Corporation to extend the time to expend the balance (\$18,550) of the original grant for the preparation of plans for the Recreation Precinct

CARRIED 4/3

Voting for the motion; Boulter, Dean, Mellema and Gilbert.

Voting against the motion; Dunnet, Camarri and Pinkerton.

Reasons for not accepting Officer's recommendation;

1. The alternative resolution reflects the desire of the community to have a stand alone Sports Club located on or adjacent to the oval.
2. The need to separate the project into two (2) phases to reflect funding availability.

AGENDA NUMBER: 10.10
SUBJECT: Disposal of Old Recreation Centre Wood Heater
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT: Mr Alec Logvyn
FILE REFERENCE: TEN2010
AUTHOR: Craig Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 14 March 2011

Attachment: Historical photographs of the Boiler

BACKGROUND:

Council at its February 2011 meeting resolved the following in relation to a request from Mr Alec Logvyn to purchase the old wood burning water heater located at the rear of the Recreation Centre complex:

That an investigation of the history of the wood heater be undertaken with a report being prepared to Council detailing the findings, with options for its future use.

COMMENT:

Some further investigation has taken place with the assistance of Cr Gilbert, being a member of the Nannup Historical Society and Mr Tom Longbottom being an ex employee of the Nannup Mill.

This investigation has revealed the following:

1. When Mr Longbottom started at the Nannup Mill about 60 years ago, the boiler was in use at that mill powering a docking saw. The attached photographs show the boiler in use. The Nannup Mill started operations about 1925.
2. Anecdotaly, the boiler has been linked with the Barrabup Millsite prior to it being transferred to the Nannup Mill. The Barrabup Mill started operations about 1912.
3. The Nannup Mill burnt down in 1954 and as part of the rebuilding was powered by electricity, making the boiler redundant.
4. Sometime after (date unknown) the boiler was used as a wood heater for a set of weatherboard change rooms that were located at the south west corner of the existing football oval. These were colloquially known as the "bloodhouse".
5. In 1976 the current change rooms located within the existing recreation centre complex were built, and the boiler was used as a wood heater for

these change rooms until the hot water system was upgraded some two years ago to gas.

Prior to Council considering the disposal of the heater to Mr Logvyn, it should determine whether the heater is surplus to Council's needs, be it in an operational form (unlikely given its age and mode of operation) or some type of historical artefact of the timber industry / Shire.

It would appear that there are three options Council could consider in relation to the future of the boiler as follows:

1. Council dispose of the boiler to Mr Logvyn as per his request. If this were to be undertaken, Council must abide by S3.58 of the Local Government Act 1995 which stipulates the process involved in disposing of Local Government property. Subsections 2 and 5 follow:

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(5) This section does not apply to —

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

Regulation 30 of the Local Government (Functions and General) Regulations 1996 states:

30. Dispositions of property to which section 3.58 of Act does not apply

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(3) A disposition of property other than land is an exempt disposition if —

(a) its market value is less than \$20 000; or

(b) it is disposed of as part of the consideration for other property that the local government is acquiring for a consideration the total value of which is not more, or worth more, than \$50 000.

Council can via Regulation 30(2)(a) dispose of the heater as it thinks fit.

2. Council dispose of the boiler to Mr Logvyn, but have conditions attached to the sale in the form of an agreement that would stipulate conditions regarding ownership, tenure, public display, maintenance and any other issue associated with the heater.

If this option were to be pursued, Council must still abide by S3.58 of the Local Government Act 1995 as detailed above in option one.

As stated in the February report to Council, the likelihood of a person or body, other than Council, agreeing to maintain the heater to whatever conditions Council imposes is highly unlikely as there would effectively be no return to the person for the effort involved. Additionally, as time progresses and Mr Logvyn eventually sells his property, the agreement between Council and Mr Logvyn may well be "forgotten", and the boiler would then be lost to the community.

3. Council determine that the boiler is of such significance that it be preserved and placed on public display at an appropriate location along with some interpretation indicating its history and significance to the Nannup community. If this were to occur, there would be costs involved dependent upon the final resting place and the level of interpretation provided.

If this option were to be pursued, Council may wish to consider this in conjunction with the proposed upgraded of the recreation centre complex whereby it is assumed that the boiler would at the very least be shifted from its present site.

There may be other options Council may wish to explore, however the decision that needs to be made initially is whether Council believes that the boiler has sufficient significance to warrant the preservation and ongoing control of the boiler.

STATUTORY ENVIRONMENT:

Section 3.58 Local Government Act 1995 and Regulation 30 of the Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

1. That Council determine that the wood heater located at the rear of the Recreation Centre complex is significant to the history of Nannup, and that a preservation plan is developed.
2. That Mr Alec Logvyn be informed of Council's decision regarding this matter.

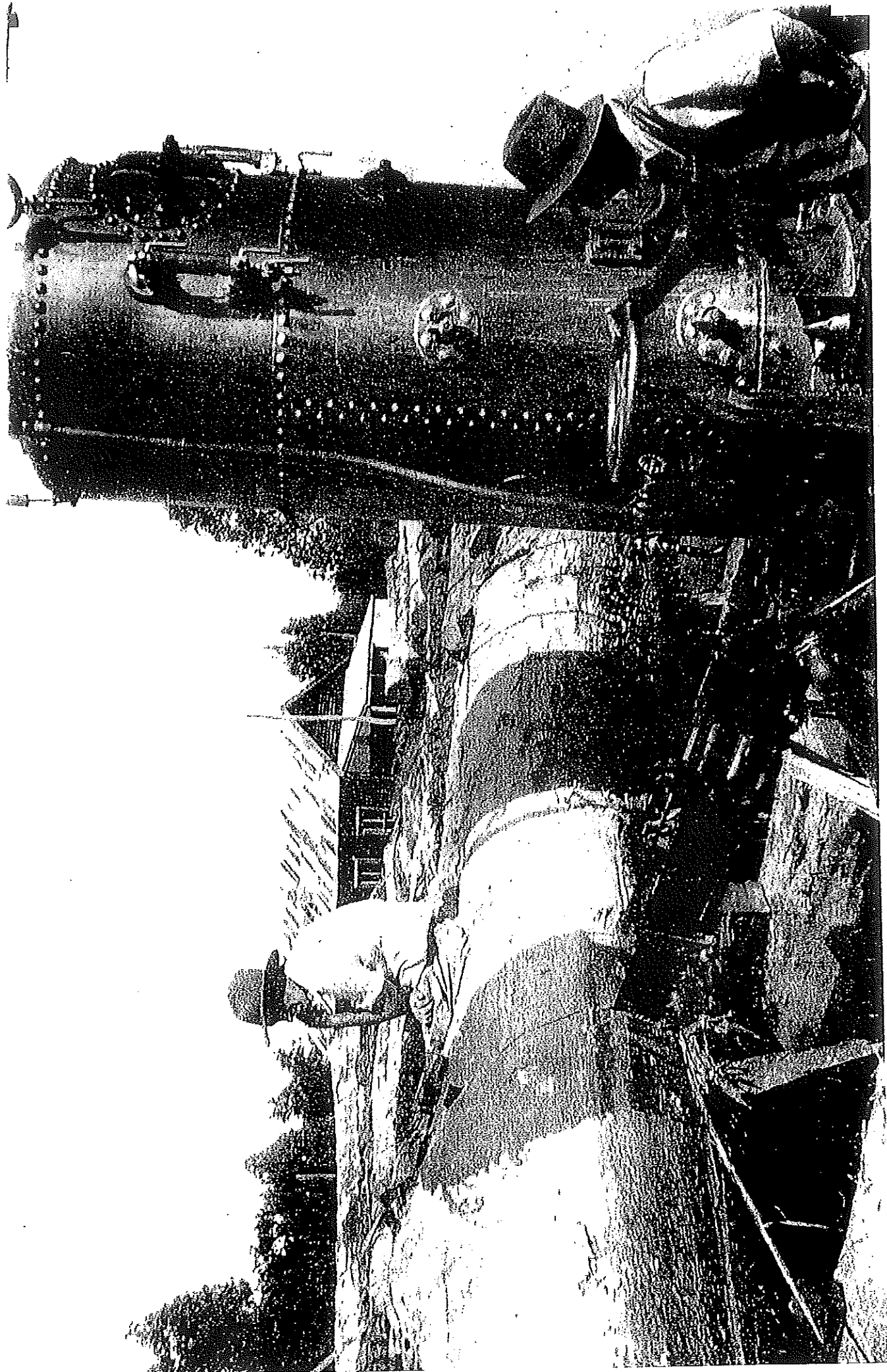
8586 GILBERT/BOULTER

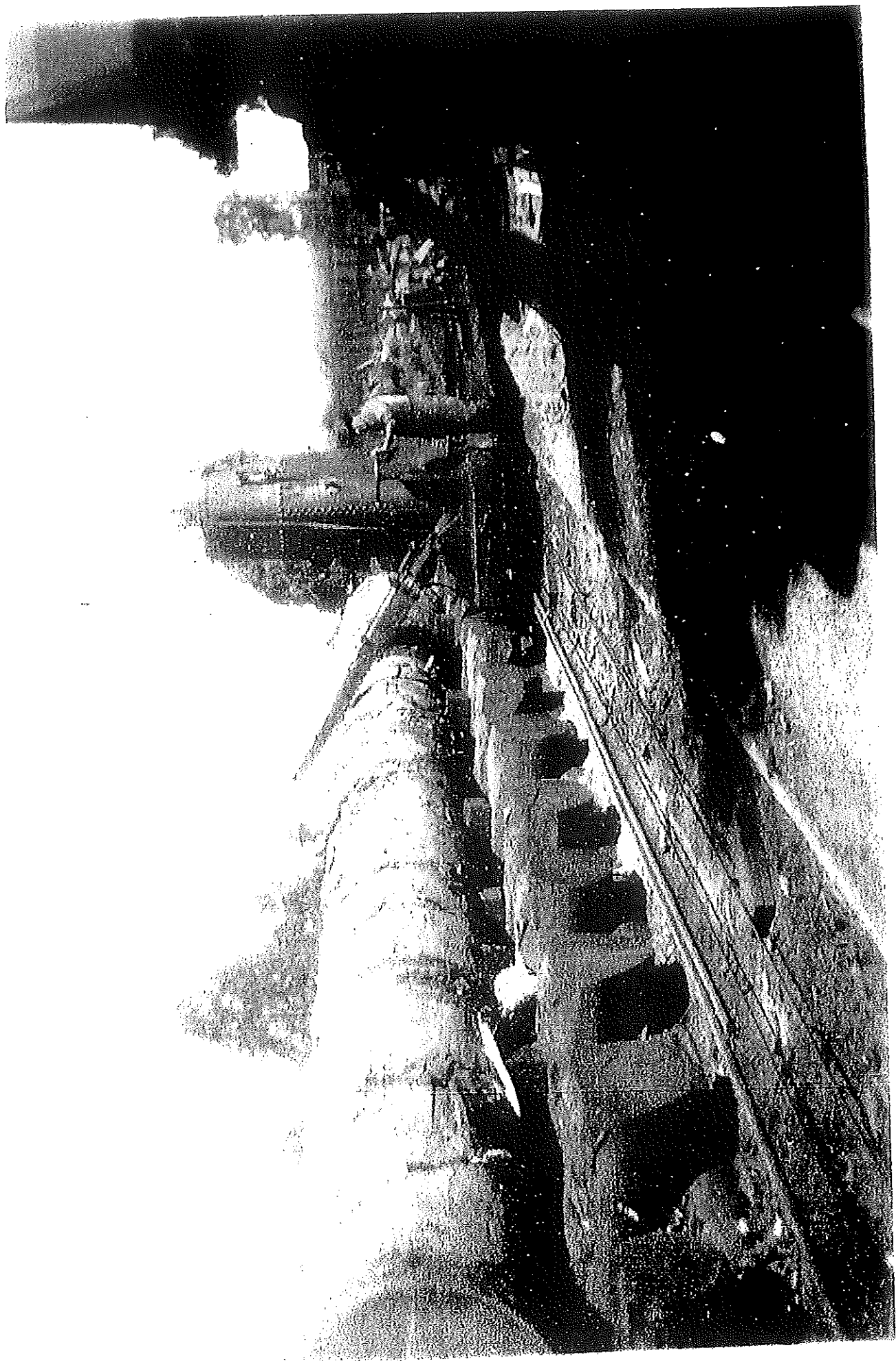
1. That Council determine that the wood heater located at the rear of the Recreation Centre complex is significant to the history of Nannup, and that a preservation plan is developed.
2. That Mr Alec Logvyn be informed of Council's decision regarding this matter.

CARRIED 5/2

Voting for the motion; Boulter, Dean, Mellema, Gilbert and Pinkerton

Voting against the motion; Dunnet and Camarri.





AGENDA NUMBER: 10.11
SUBJECT: Risk Management Advisory Committee
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: PSN 9
AUTHOR: Craige Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 14 March 2011

Attachments: 1. Minutes of the Risk Management Advisory Committee
 meeting of 16 November 2010
 2. Event Application Package

BACKGROUND:

The Risk Management Advisory Committee met 16 November 2010. Unfortunately the minutes and recommendation contained in the minutes have not yet been presented to Council for action.

COMMENT:

The attached minutes of the meeting of 16 November 2010 contains one recommendation requiring Council action as follows:

That the revised Event Application Package be presented to Council for approval.

The Event Application Package as attached has been updated to reflect changes required to ensure that it covers areas that now need to be included within it. These include:

- 1: A section on food sold;
- 2: Health approvals held; and
- 3: Universal access inclusion.

STATUTORY ENVIRONMENT: Occupation Safety and Health Act 1994.

POLICY IMPLICATIONS:

If adopted by Council, the revised Event Application Package will be used for applications received for events within Nannup where approval is required.

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Council adopt the revised Event Application Package as attached.

8587 PINKERTON/GILBERT

That Council adopt the revised Event Application Package as attached.

CARRIED 7/0

MINUTES

Risk Management Advisory Committee

Minutes of a meeting of the
Shire of Nannup Risk Management Advisory Committee Meeting
held at 2.00pm, Tuesday 16 November 2010
in Shirley Humble Room

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Councillor Gilbert declared the meeting open at 2.04pm.

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

Attendance

Councillor Gilbert
Councillor Pinkerton
Chris Wade – Workers Manager
Tracie Bishop – Office Representative
Steve Winfield – Works Representative
Neroli Logan – Regional Risk Coordinator

Apologies

Craige Waddell – Manager Corporate Services

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

WINFIELD/WADE

That the Minutes of the Risk Management Advisory Committee Meeting held in the Shirley Humble Room on 7 September 2010 be confirmed as a true and correct record.

CARRIED 5/0

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

9. REPORTS BY MEMBERS ATTENDING COMMITTEES

Nil.

10. REPORTS OF OFFICERS

AGENDA NUMBER: 10.1
SUBJECT: RECEIPT OF ALL SITE CHECKLISTS AND INCIDENT/HAZARD FORMS
NAME OF APPLICANT: CRAIGE WADDELL
FILE REFERENCE: ADM26
AUTHOR: CRAIGE WADDELL
DISCLOSURE OF INTEREST:
DATE OF REPORT: 16 November 2010

ATTACHMENT:

BACKGROUND:

Hazard Identification Checklists, Site Checklists and Incident Reports are presented at each meeting as a way of identifying either areas of concern or areas that need work applied to.

COMMENT: Checklists are not available prior to the meeting and as such need to be addressed as the issues arise. Arising this meeting were:

- Playground Checklists – Maintenance issues raised, general housekeeping required.
- Depot Checklist – General housekeeping, also potential hazards identified in relation to empty chemical drums and how we dispose of these. Neroli and Steve to follow up.
- 1 incident report – Key areas identified and already actioned by Chris.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

VOTING REQUIREMENTS: Nil

RECOMMENDATION:

That the Checklists and Incident reports presented to the meeting be accepted.

PINKERTON/WADE

That the Checklists and Incident reports presented to the meeting be accepted.

CARRIED 5/0

AGENDA NUMBER: 10.2 SUBJECT: Business from Previous Meeting NAME OF APPLICANT: Craige Waddell FILE REFERENCE: ADM 26 AUTHOR: Craige Waddell DISCLOSURE OF INTEREST: N/A DATE OF REPORT: 25 MAY 2010

ATTACHMENT:

BACKGROUND:

COMMENT: Issues that had been carried forward from the previous meeting are tabled below. These are:

1. Review of Protective Clothing Policy – The issue of whether or not it is enforceable to make all employees wear long clothing was discussed. It is up to Council to decide that they wish to pursue this and the general consensus was that it was not wanted by the workforce and so should not be pursued. Adequate protection is available to all employees in the way of long clothing (if wanted), sunscreen hats and gloves.
2. Review of Insurances Held by Sub Contractors – The list of potential contractors has now been completed. With the instigation of inductions now being completed on line, we now need to ensure that this is available to all contractors who need to be added to our list. **Tracie**

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

VOTING REQUIREMENTS: Nil

RECOMMENDATION:

That items will be progressed to any further meetings until such time as they have been completed.

BISHOP/PINKERTON

That the following updates be accepted:

1. Review of Protective Clothing –This has now been fully investigated. No further action required.
2. Review of Insurances Held by Contractors – **Chris/Tracie**. Progress has been made and the list is now complete. Still outstanding, we need to ensure that all potential contractors are made aware of the online induction process, that the library computer can be used and all costs are covered by the council.

CARRIED 5/0

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

(a) OFFICERS

(b) ELECTED MEMBERS

Nil.

12. GENERAL BUSINESS

12.1 Event Application Package Revision – Louise Stokes presented an updated and revised Events Application package. A revision had been necessary due to the timeframe involved from the original inception. New sections that had needed inclusion are:

- A section on food sold (if any) – Copies of registration certificates held and the name of the local government authority issuing this.
- Health approvals held.
- Universal access – disability inclusion

These changes were accepted by the committee and it was decided to present the new revised Events Application Package to Council for approval.

WADE/PINKERTON

That the revised Event Application Package be presented to Council for approval.

CARRIED 5/0

- 12.2 Property Risk Management – Neroli presented the latest information from LGIS in relation to property insurance claims. This contained data relating to the amount of property claims in the last 7 years and areas where accidents were occurring and that may require extra attention.
- 12.3 Regional Risk Coordinator Activity Report – This related to all contact made between The Shire of Nannup and LGIS's Regional Risk Coordinator (Neroli). Also included figures for the past 5 years in relation to all workers compensation claims in the South West.
- 12.4 Desk Top Audit – A desk top audit was conducted by Neroli and Tracie on the 1st of October. This is in anticipation of a full OHS audit that will be conducted in 2011. The results were positive and included areas which may need attention prior to this full audit being completed.
- 12.5 Mowen Road Safety Concerns – Several potential hazards have been identified and these have been investigated by the appropriate authorities.

Our responsibilities in relation to the camping area that contractors are utilising out on Mowen Road were also reviewed. As no formalised camping ground has been established, in the committee's opinion this is not a responsibility of Council.

- 12.6 Policy and Procedures Review – In the lead up to our audit next year our policies and procedures have been reviewed by Chris and Tracie. This involved looking at these policies and procedures already in place against LGIS's amended policies and procedures. Some areas were identified as needing renewal and copies of these were handed out to all members of the committee for review at the next meeting.

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

Nil

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

Nil.

15. NEXT MEETING

8 March 2011 at 2.00 pm in Shirley Humble Room

16. CLOSURE OF MEETING

There being no further business to discuss the Presiding Member declared the meeting closed at 2.50 pm.



15 Adam Street, Nannup WA 6275
Telephone 9756 1018 Facsimile: 9756 1275 Email: nannup@nannup.wa.gov.au
Office Hours: 8am to 4.30pm Monday to Friday

Event Application Package

A STEP BY STEP GUIDE TO SUCCESSFUL EVENT
PLANNING IN THE SHIRE OF NANNUP

Issued to : _____ Date Issued: _____

Issuing Officer: _____

Key Council Contact: _____

DISCLAIMER

The information contained within this package has been provided as a guide only. Additional information or approvals may be required from other agencies and it shall be the sole responsibility of the Applicant, not the Shire of Nannup, to ensure all relevant approvals and information are obtained in relation to each particular event.

Application Procedure

STAGE 1

- STEP 1:** **Complete** Event Application Form and Site Plan (Included in this package)
- STEP 2:** **Complete** Event Approval Checklist (included in this package) to identify what approvals you require.
- STEP 3:** Meet with the Community Development Officer at the Shire of Nannup to discuss your application, and receive a copy of the Event Information for Applicants, relevant to the items ticked on the event approval checklist

STAGE 2

- STEP 4:** **Read** through the Event Information for Applicants to determine what you need to do
- STEP 5:** If you have any queries, contact the Community Development Officer at the Shire, who will direct you to the appropriate person to speak to.
- STEP 6:** **Complete** the required forms or obtain the relevant approvals.
- STEP 7:** **Submit** the Event Application Form, Event Approval Checklist and Completed Forms, together with any appropriate Additional Information to:

**Community Development Officer
Shire of Nannup
PO Box 11
Nannup**

(Your application should be received **AT LEAST 8 WEEKS PRIOR** to your event)

- STEP 8** You may not proceed with your event until written confirmation from the Shire advising that all Shire and Statutory requirements have been satisfied. This may take between 3 to 4 weeks depending on the scale and size of your event;

PLEASE NOTE: Any special conditions (if applicable to your event) will be outlined in your confirmation letter. It is your responsibility to adhere to the conditions or to remain in regular contact with the relevant departments until necessary approvals are obtained.

- STEP 9** Debrief, including Shire, should be held within 7 days post event

Applications and approvals for an event are not transferable. Therefore the organiser cannot transfer council approval for an event to an alternative venue, date or time, without re-negotiating with Council.

PLEASE NOTE: Your event is not approved until the Shire of Nannup is satisfied with all sections of the checklist and event details. You may not advertise or proceed with the event until the Shire advises all requirements have been met.

Event Application

This form is an application only. You will be notified in writing when your event Application has been processed
Applications must be submitted at least 8 weeks prior to your event.

Organiser's Details

Applicant/organisation:

Contact person (if different from above):

Postal address:

Telephone (hm):(wk)..... (mb)

Email address:

Event Details

Name of event:

Date:

Actual Set Up Date:

Actual Event Start Date.....

Actual Event Finish Date.....

Actual Completion of Clean up Date

Proposed Venue Details: E.g. name of reserve, building or public open space

Event Description E.g. Sporting, commercial, entertainment

.....

.....

.....

.....

.....

Entertainment- Brief details (number of stalls / products/ entertainment- bands, amplified music/ animals/ activities/ farm machinery/rides)

.....

.....

Primary Purpose of Event. (PLEASE CIRCLE)

Community Event Commercial Fundraiser

Will alcohol be available/consumed on site? (PLEASE CIRCLE) Yes No

Will food be sold? (PLEASE CIRCLE) Yes No

If yes, please advise Registration Certificate Date.....

Issuing Local Government Authority.....

Please attach a copy of the Registration Certificate

Details of any road closures or use of roads for the event.....

Maximum Number of People Expected at any given time:

Anticipated Total Number For Entire Event:.....

Target audience e.g. youth, adult, family etc

You must ensure that all arrangements you make, including emergency procedures, meet the needs of people with disabilities.

Post event arrangements should be considered to transport patrons from the event. Eg buses, etc

Have you ever conducted this event before and if so, when / where was it held?

Power Supply Details: (generators or existing).....

Water Supply Details: (scheme or rainwater)

Toilets Available:

Male:	Closets.....	Female:	Closets.....
	Urinals.....		
	Hand Wash Basins		

Event Fees / Bonds Paid

YES

NO

May apply depending on event type

******* Please note you may wish to attach any other relevant information to assist with the approval process**

Acknowledgement

I/We, _____ the organiser of this event accept full responsibility for any damages incurred to the premises, land under the care and control of Council or reserves including reticulation and sprinklers, water mains, electricity, toilets and change rooms, fences and fixtures as a result of our activities and for ensuring compliance with the local laws and conditions pertaining to use of Council property.

I understand that the Event Application Package is a guide and has been compiled according to a number of statutory requirements. There could be other requirements that exist outside of the package and that as the event organiser I am responsible to seek the necessary information, advice and approvals relevant to this application.

Signature _____

Date _____

Position _____

Site Plan

A detailed layout of the event is to be included with your application. I checklist has been included to assist you to complete the site plan.

Please ensure the following is indicated on the map (if applicable);

- | | | |
|----------------------|---------------------|---|
| ➤ Stage | ➤ Seating | ➤ Vehicle Access Points Include Street names |
| ➤ Food Stalls | ➤ First Aid Post(s) | ➤ Location of marquees, tents |
| ➤ Electricity cables | ➤ Emergency Exits | ➤ Sale or consumption of alcohol areas |
| ➤ Parking Areas | ➤ Fenced off Areas | ➤ Location and number of additional toilet facilities |
| ➤ Site Signage | ➤ Lighting | ➤ Any other facilities relevant to your event |

N

This image shows a full page of blank graph paper. The background is a uniform light gray color. Overlaid on this background is a grid of thin, dark gray horizontal and vertical lines. These lines intersect to form a series of small, equal-sized squares across the entire page, typical of standard graph paper used for mathematics or engineering. There are no margins, text, or other markings present.

It is suggested that a copy of the finalised site plan be issued to police, fire services, SES, and other relevant emergency services, first aid and security personnel, and participants.

SITE PLAN CHECKLIST – EVENTS

EVENT NAME: _____ LOCATION: _____

SITE LOCATION - SUITABILITY

- | | |
|--|---|
| <input type="checkbox"/> Size of event: maximum capacity
<input type="checkbox"/> Distance to noise sensitive neighbouring properties
<input type="checkbox"/> Weather protection: shade in summer, rain cover in winter | <input type="checkbox"/> Proximity to public transport
<input type="checkbox"/> High risk events: proximity to emergency responders, hospitals
<input type="checkbox"/> Parking areas – patrons and event personnel |
|--|---|

VENUE ACCESS & EGRESS

- | | |
|--|--|
| <input type="checkbox"/> Location & number of entry/exit points: each separate area to have a minimum of two exits located at opposite locations | <input type="checkbox"/> Width of entry and exits – 2.5m optimum width for each
<input type="checkbox"/> Wheelchair access - minimum one (1) metre wide |
|--|--|

LAYOUT

- | | |
|--|--|
| <input type="checkbox"/> Stalls: food, non-food, animals,
<input type="checkbox"/> Entertainment: rides, amusements
<input type="checkbox"/> Location of temporary structures: stages, marquees, tents (area m2)
<input type="checkbox"/> Lighting, electrical cables, generators
<input type="checkbox"/> Seating | <input type="checkbox"/> Toilets – existing and/or portable: location and number
<input type="checkbox"/> Signage
<input type="checkbox"/> Fenced off areas – eg. licensed & restricted
<input type="checkbox"/> Waste management: bins
<input type="checkbox"/> Mains power, water, gas connections |
|--|--|

FIRST AID & EMERGENCY

- | | |
|--|--|
| <input type="checkbox"/> On-site emergency evacuation points
<input type="checkbox"/> Emergency exits: number & location
<input type="checkbox"/> Vehicle access points (incl. street names) | <input type="checkbox"/> First aid points: near main entry or command post
<input type="checkbox"/> Security, policing and command post/s
<input type="checkbox"/> Fire fighting equipment
<input type="checkbox"/> Potable water locations |
|--|--|

GENERAL

- | | |
|---|--|
| <input type="checkbox"/> Site Plan to scale
<input type="checkbox"/> Potential hazards
<input type="checkbox"/> Any other facilities or infrastructure to the eve | |
|---|--|

Event Approval Checklist

The following checklist briefly identifies the approvals and completed forms that will be required for your event. Please take this completed checklist with you to your meeting with the Shire Key Contact. Some forms may be required just prior to your event.

Column A- tick the activities that apply to your event. Complete this prior to your first meeting with the Shire Key Contact.

Column B identifies the form or approval that is required. Further information will be provided in the Event Information for applicants which will be provided by the Shire Key Contact at your meeting.

Column C is for you to tick after completing the form or obtaining approval for the activity.

Column D is for office use only

Activity	A Tick the activities that apply to your event	B Completed Form / Approval required	C Tick when Form / Approval is completed	D Office use only
1) Hire of Shire reserve, hall, oval, park,		Facility Hire Form to be completed		
2) Consultation with other venue users, neighbouring businesses and private dwellings.		Demonstrate that you've checked with others. Letters of approval from neighbouring businesses / private dwellings to be submitted with the Application Package		
3) Event Fees and Bond Charges		Payment may be required		
4) Public Liability Insurance		Obtain advice from insurance company for your needs. Obtain certificate of currency for event and submit to the Shire.		
5) Publicity		The Shire may be able to assist groups with information regarding ways of promoting your event. Contact the Shire for details.		
6) Venue access for Shire Staff		Relevant Shire representatives will need to monitor the event. Provision of access such as authority cards/passes or other arrangements need to be made.		
7) Sale of any goods, wares, merchandise		Trading In Public Places application form to be completed		
8) Food Stalls, Food Preparation, Food Vans		Obtain a copy "Guidelines for Temporary Food Stalls associated with special events"		
9) Toilet Facilities required		Male and Female toilets to be supplied in accordance with requirements		

Activity	A Tick the activities that apply to your event	B Completed Form / Approval Required (information will be provided at your 1 st meeting with Shire key contact)	C Tick when Form / Approval is completed	D Office Use only
10) Marquees or Tents or Stages used		Marquee Checklist and application to construct, extend or alter a public building obtained and completed for each structure. Ask the supplier for a structural certificate.		
11) Ground marking, use of stakes/pickets to erect Tents/Marquees		Contact the Shire before driving posts or pegs into the ground, to avoid damaging underground services.		
12) Noise from vehicles, music, PA systems likely to be created Large scale events creating excessive noise		Neighbouring residents consulted 7 days prior to the event (such as via a mail drop), speaker orientation considered. Exemption from Noise Regulations (Regulation 18) required. Application to be submitted 60 days prior to the event.		
13) Generators, Electrical installations required		Has power access been discussed with property manager? Licensed electrical contractor required to certify electrical installations.		
14) Sale ,serving or consumption of alcohol likely		Approval obtained from relevant organisations/individuals > 14 days prior to the event. This may include: <ul style="list-style-type: none">• Department Racing Gaming Liquor• Local Government Authority• Clerk of Courts• Police.• Owner of the premises.		
15) Risk Management Plan		Encouraged for all events. Required for events that will attract more than 5000 people. To be completed in accordance with ISO 31,000 to be completed and submitted to the Shire.		
16) First Aid		First Aid considered in accordance with table in information package.		
17) Water Supply		Adequate potable water supply available for patron consumption Contact the Shire to determine the nearest connection point.		
18) Crowd Control Safety		Is crowd control needed?		
19) Police Department Notification		Completed Police notification form to be submitted with application form		
20) Amusement Rides and Structures		Operator's inspection logbook is required to be sighted by applicant / organiser. WorkSafe Registration – proof of approval & registration required.		

Activity	A Tick the activities that apply to your event	B Completed Form / Approval Required	C Tick when Form / Approval is completed	D Office use only
21) On-site living (camping)		Approval required from the Shire.		
22) Road to be used or part road closure proposed OR Usual flow of traffic disrupted		Application forms must be completed. Shire, Police Department and Main Roads of WA must receive applications 8 - 12 weeks prior to event to ensure approval Traffic Management Plan to be developed by qualified person		
23) Parking for event patrons required		Parking Areas established, marshals organised, Shire contacted		
24) Temporary Advertising Signage to be erected		"Temporary Sign Approval" obtained from Shire with sign design, locations, details submitted. For signs on a main road, applications must seek Main Roads of WA approval.		
25) Additional Bins / Rubbish collection arrangements		Additional bins arranged with the Shire/contractor. Collection of rubbish arranged- may incur additional costs.		
26) Fireworks		Approval obtained from Department of Industry & Resources Approval required by Police, Fire & Emergency Services and the Shire.		
27) Public Building Form 1 Request to construct, amend or alter a public building.		Complete form and approval will be issued by Environmental Health Dept (Form 2) or (Form 4).		
28) Disability Services and Access		Complete Accessible events checklist (provided by Disability Service Commission)		
29) Department of Health		Complete Medical Risk Classification Tool in accordance with Medical Risk Guidelines WACHS SW.		
Other Agencies to Contact				
27) Emergency Services Notified if applicable.		SES - Fire Brigade St John Ambulance -		
28) If events are held in navigable waters beyond the low water mark OR You are using vessels for hire or reward OR providing transport for paying passengers		Approval Required from Department Planning & Infrastructure www.dpi.wa.gov.au Ph 9792 6666		
29) Use of airspace and air-site facilities		Civil Aviation Safety Authority Ph 13 17 57 www.casa.gov.au		

Cr Boulter declared a financial interest in the following item.

AGENDA NUMBER: 10.12
SUBJECT: Nannup Tigers Football Club Agreement
LOCATION/ADDRESS: Nannup Community Centre
NAME OF APPLICANT: Nannup Tigers Football Club
FILE REFERENCE: REC 2
AUTHOR: Craig Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 14 March 2011

BACKGROUND:

The current agreement between the Nannup Shire Council and the Nannup Tigers Football Club for the use of the Nannup Community Centre expired on 24 February 2011.

COMMENT:

The agreement commenced on 24 February 2000 and was for two years with three one year extensions.

Council last year extended the current agreement as it was recognised that it works relatively well and should remain in place until planning and development issues for the Recreation/Community Centre were finalised, and or the Nannup Sports Association formally take over the operation of the Community Centre. These issues have been recently discussed by Council and will come to a conclusion in some form in the near future.

Contact has been made with the secretary of the Nannup Tigers Football Club who has stated that they wish to continue with this agreement until the newly formed Nannup Sports Association is in a position to take over this agreement.

Contact has been made with the Chairperson of the newly formed Nannup Sport Association who has stated that it is the desire of this club to take over this agreement when they are in a position to do so. This will be dependent upon a number of matters being finalised, however it should be in about four months time.

The recommendation to this item is to extend the current arrangements with the Nannup Tigers Football Club for a further 12 month period. This will allow the Nannup Sport Association time to be in a position to take over this agreement. When they are ready, Council will be able to negotiate with them to formalise an agreement over the use of the Community Centre and cease the agreement with the Nannup Tigers Football Club.

STATUTORY ENVIRONMENT: Local Government Act 1995.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council consent to an extension of the agreement between the Nannup Shire Council and the Nannup Tigers Football Club over the use of the Community Centre for a further 12 month period commencing 25 February 2011 and concluding on 24 February 2012.

8588 DEAN/PINKERTON

That Council consent to an extension of the agreement between the Nannup Shire Council and the Nannup Tigers Football Club over the use of the Community Centre for a further 12 month period commencing 25 February 2011 and concluding on 24 February 2012.

CARRIED 6/1

Voting for the motion; Dunnet, Boulter, Dean, Gilbert, Mellema and Pinkerton.

Voting against the motion; Camarri.