



# **MINUTES**

**Ordinary Council Meeting Thursday 24 October 2024**

**4.30 pm in Council Chambers, Nannup**

**Unconfirmed Copy**

**PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING**

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyrighted material.

Any statement, comment or decision made at a Council meeting regarding any application for approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Nannup must obtain, and should only rely on, written notice of the Shire of Nannup's decision and any conditions attaching to the decision and cannot treat as an approval of anything said or done at a Council meeting.

Any advice provided by an employee of the Shire of Nannup on the operation of a written law, or the performance of a function by the Shire of Nannup, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as legal advice or representation by the Shire of Nannup. Any advice on a matter of law or anything sought to be relied upon as a representation by the Shire of Nannup should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

---

Contents

<b>1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGMENT OF COUNTRY:</b>	2
<b>2. ATTENDANCE/APOLOGIES:</b>	2
<b>2.1 ATTENDANCE</b>	2
<b>2.2 APOLOGIES</b>	2
<b>3. PUBLIC QUESTION TIME:</b>	2
<b>4. MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE:</b>	2
<b>4.1 APPROVED LEAVE OF ABSENCE:</b>	2
<b>4.2 APPLICATION FOR A LEAVE OF ABSENCE</b>	3
<b>5. CONFIRMATION OF MINUTES:</b>	3
<b><i>COUNCIL RESOLUTION 241024.1</i></b>	3
<b>6. ANNOUNCEMENTS FROM PRESIDING MEMBER:</b>	3
<b>7. DISCLOSURE OF INTEREST:</b>	3
<b>8. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:</b>	3
<b>9. PRESENTATIONS/DEPUTATIONS/PETITIONS:</b>	4
<b>10. REPORTS BY MEMBERS ATTENDING COMMITTEES:</b>	4
<b>11. REPORTS OF OFFICERS:</b>	4
11.1 – Delegated Planning Decisions for September 2024	4
<b><i>COUNCIL RESOLUTION 241024.2</i></b>	6
11.2 – Development Application for Shop and Holiday Accommodation	7
<b><i>COUNCIL RESOLUTION 241024.3</i></b>	17
11.3 – Financial Activity Statement – September 2024	20
<b><i>COUNCIL RESOLUTION 241024.4</i></b>	22
11.4 – Payment of Accounts – September 2024	22
<b><i>Council Resolution 241024.5</i></b>	24
<b>12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:</b>	24
<b>13. MEETING MAY BE CLOSED:</b>	24
<b>14. CLOSURE OF MEETING:</b>	24

## A G E N D A

### **1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGMENT OF COUNTRY:**

---

The Shire President is to declared the meeting open at 4.30pm and welcomed the public gallery.

The Shire President to acknowledged the traditional custodians of the land, the Wardandi and Bibbulmun people, paying respects to Elders past, present, and emerging.

### **2. ATTENDANCE/APOLOGIES:**

---

#### **2.1 ATTENDANCE**

Shire President	Anthony (Tony) Dean
Deputy Shire President	Vicki Hansen
Councillor	Lynette Curtis
Councillor	Patricia Fraser
Councillor	Cheryle Brown
Councillor	Timothy Sly
Chief Executive Officer	David Taylor
Executive Manager Corporate Services	Kim Dolzadelli
Executive Manager Works and Services	Damon Lukins
Development Services Coordinator	Jane Buckland
Executive Support Officer	Lisa Atkinson

#### **2.2 APOLOGIES**

Nil

#### **PUBLIC GALLERY**

Ingrid Waltham, Paul Tod, Mark White, Isobell Green, Jim Green, Leonie Craigie.

### **3. PUBLIC QUESTION TIME:**

---

Nil.

### **4. MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE:**

---

#### **4.1 APPROVED LEAVE OF ABSENCE:**

Cr Gibb is on approved leave of absence from this meeting.

---

#### 4.2 APPLICATION FOR A LEAVE OF ABSENCE

Nil.

#### 5. CONFIRMATION OF MINUTES:

---

5.1 Shire of Nannup Ordinary Council Meeting – 26 September 2024

**EXECUTIVE RECOMMENDATION:**

That the minutes from the Shire of Nannup Ordinary Council Meeting held on 26 September 2024 be confirmed as a true and correct record (attachment 5.1).

**COUNCIL RESOLUTION 241024.1****MOVED: CR HANSEN****SECONDED: CR CURTIS**

*That the minutes from the Shire of Nannup Ordinary Council Meeting held on 26 September 2024 be confirmed as a true and correct record (attachment 5.1).*

**CARRIED****TOTAL VOTES FOR: 6****Cr Dean, Cr Hansen, Cr Brown, Cr Fraser, Cr Curtis, Cr Sly****TOTAL VOTES AGAINST: 0**

---

#### 6. ANNOUNCEMENTS FROM PRESIDING MEMBER:

Nil.

---

#### 7. DISCLOSURE OF INTEREST:

Cr Hansen declared a financial interest in agenda item 11.1 - Delegated Planning Decision.

Cr Curtis declared an impartiality interest in agenda item 11.2 – Development Application for shop and holiday accommodation.

The Shire of Nannup Disclosure of Interest Register is on our website [here](#).

---

#### 8. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:

Nil.

---

**9. PRESENTATIONS/DEPUTATIONS/PETITIONS:**


---

Nil.

**10. REPORTS BY MEMBERS ATTENDING COMMITTEES:**


---

Meeting	Date	Councillor
Warren & Blackwood Alliance of Councils Board Meeting	1 October 2024	Dean and Hansen
Nannup Chamber of Commerce and Industry	2 October 2024	Hansen, Brown
WALGA Convention	8-10 October 2024	Dean, Hansen, Curtis, Brown, Sly
Local Drug Action Group	15 October 2024	Hansen
South West Food Bowl Education Days	16 and 17 October 2024	Hansen
NARTL Community Engagement	23 October 2024	Dean, Hansen, Curtis, Sly
Councillor Training	24 October 2024	Hansen, Curtis, Fraser, Brown, Sly

**11. REPORTS OF OFFICERS:**


---

AGENDA NUMBER & SUBJECT:	11.1 – Delegated Planning Decisions for September 2024
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	Various
FILE REFERENCE:	TPL18
AUTHOR:	Erin Gower – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	2 October 2024
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	11.1.1 – Register of Delegated Development Approvals

**\*\*Cr Hansen declared a financial interest and left the room at 4.35pm\*\***

**BACKGROUND:**

To ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve Applications for Development Approval that meet the requirements of both Local Planning Scheme No.4 (LPS4) and adopted Council policy.

Delegated planning decisions are reported to Council monthly to ensure that Council has an appropriate level of oversight on the use of this delegation. A Register of Delegated Development Approvals, detailing those decisions made under delegated authority in September 2024 is presented in Attachment 11.1.1.

**COMMENT:**

As shown in the attachment, each application has been advertised in accordance with LPS4 and Council’s adopted Local Planning Policy *LPP5 Consultation* as detailed in the Policy Implications section of this report.

During September 2024, eight (8) development applications were determined under delegated authority. The table below shows the number and value of development applications determined under both delegated authority and by Council for September 2024 compared to September 2023.

	<b>September 2023</b>	<b>September 2024</b>
<b>Delegated Decisions</b>	3 (\$22,500.00)	8 (\$593,500.00)
<b>Council Decisions</b>	0	0 (\$0)
<b>Total</b>	<b>3 (\$22,500.00)</b>	<b>(\$593,500.00)</b>

100% of all approvals issued in the month of September were completed within the statutory timeframes of wither 60 or 90 days.

**STATUTORY ENVIRONMENT:**

*Planning and development Act 2005, Local Government Act 1995* and LPS4.

Regulation 19 of the *Local Government (Administration) Regulations 1996* requires that a written record of each delegated decision is kept.

**POLICY IMPLICATIONS:**

Applications for Development Approval must be assessed against the requirements of LPS4 and Local Planning Polices adopted by Council. These Policies include Local Planning Policy *LPP5 Consultation* which details the level and scope of advertising required for Applications for Development Approval.

Each application processed under delegated authority has been processed and advertised and has been determined to be consistent with the requirements of all adopted Local Planning Policies.

**FINANCIAL IMPLICATIONS:**

The required planning fees have been paid for all applications for Development Approval processed under delegated authority.

## RISK MANAGEMENT MATRIX

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks	
Operational risks	Technological and IT risks	
Compliance and regulatory risks	Environmental risks	
Legal risks	Strategic risks	
Political risks	Sustainability and security risks	

Officers have undertaken a Risk Assessment with the respect to the item before Council and advise that no risks have been identified.

### STRATEGIC IMPLICATIONS:

Nil.

### VOTING REQUIREMENTS:

Simple majority

### OFFICER RECOMMENDATION:

That Council receives the report on Delegated Development Approvals for September 2024 as per Attachment 11.1.1.

### **COUNCIL RESOLUTION 241024.2**

**MOVED: CR BROWN**

**SECONDED: CR FRASER**

***That Council receives the report on Delegated Development Approvals for September 2024 as per Attachment 11.1.1.***

**CARRIED**

**TOTAL VOTES FOR: 5**

***Cr Dean, Cr Brown, Cr Fraser, Cr Curtis, Cr Sly***

**TOTAL VOTES AGAINST: 0**

**\*\*Cr Hansen returned to the room at 4.37pm\*\***



AGENDA NUMBER & SUBJECT:	11.2 – Development Application for Shop and Holiday Accommodation
LOCATION/ADDRESS:	Lot 12 (No 30) Warren Road, Nannup
NAME OF APPLICANT:	Elite Compliance
FILE REFERENCE:	A1667
AUTHOR:	Steve Thompson – Consultant Planner
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Edge Planning & Property receive payment for planning advice to the Shire and declare a Financial Interest (Section 5.70 of the Local Government Act 1995)
DATE OF REPORT:	14 October 2024
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	11.2.1 - Location map 11.2.2 - Original information and plans from applicant 11.2.3 - Submissions 11.2.4 - Updated information from applicant 11.2.5 - Extract of planning framework

**\*\*Cr Curtis declared an impartiality interest and remained in the room\*\***

#### **BACKGROUND:**

Elite Compliance have lodged a Development Application for a single storey shop and holiday accommodation (8 cabins).

The site's location is outlined in Attachment 11.2.1. The site is 1890m<sup>2</sup> in area and contains an existing dwelling, commercial building and shed. The western and central sections are vacant. The site is gently sloping.

Details of the proposal originally submitted are set out in Attachment 11.2.2 including plans and a report from the applicant. The Development Application proposes to:

- Retain the existing commercial building (floor area of 99m<sup>2</sup>);
- Demolish the dwelling and shed;
- Construct a new shop (floor area of 70m<sup>2</sup>) with weatherboard walls and Zincalume roof. This includes a verandah extending into the Warren Road reserve;
- Construct 8 x 2 bedroom self-contained holiday accommodation units (cabins) with weatherboard walls and Paperbark coloured Colourbond roof;
- Construct a connecting roof linking the existing and proposed shop;
- Construct 10 car parking bays which are located at the rear of the site with access via the lane way;
- Provide lockable storage for 27 bikes;
- Provide an open bin compound; and
- Provide landscaping and paths.

### *Consultation*

The Shire administration invited public comment on the Development Application for a period of 21 days by writing to adjoining/nearby landowners and other stakeholders, placing details on the Shire website and having details at the Shire office. The Shire received 2 submissions on the Development Application as outlined in Attachment 11.2.3. The Nannup Chamber of Commerce and Industry supports the proposal, whilst the other submission suggested design changes to address heritage and streetscape considerations. These considerations related to the separation between the existing shop and the proposed new shop, and the lack of vertical, compact form in the design.

In response, the applicant has provided a revised design (see Attachment 11.2.4) where the proposed shop is provided with two gables orientated towards Warren Road. This increased the roof pitch, when viewed from Warren Road, compared to the initial plan. Additionally, a skillion verandah is proposed to be extended over the footpath to create a continuous cover connecting the new shop with the existing shop, whilst maintaining a clear separation between the two buildings. The applicant also proposes some minor adjustments to the entry doors to improve door clearances and ensure accessibility for wheelchairs.

### *Planning framework*

The site is zoned 'Commercial', has an R-Code of R40 and is within Special Control Area 6 – Heritage Area of the *Shire of Nannup Local Planning Scheme No. 4 (LPS4)*. The site is subject to *Local Planning Policy No. 7 - Nannup Main Street Heritage Precinct (LPP7)*.

Other key planning documents related to the proposal include the *Shire of Nannup Local Planning Strategy, Local Planning Policy No. 8 Development in Flood Prone Land, Local Planning Policy No. 9 Tourism Land Uses and Short Term Accommodation, Local Planning Policy No. 10 Car Parking and Vehicular Access, and Local Planning Policy No. 13 Heritage Conservation*. Attachment 11.2.5 sets out an extract of the planning framework.

It is suggested that the proposed development fits into the land uses of 'shop' and 'holiday accommodation' in LPS4.

'Shop' is defined in LPS4 as meaning 'premises other than a bulky goods showroom, a liquor store - large or a liquor store - small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services'.

'Holiday accommodation' is defined in LPS4 as meaning '2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot'.

Both 'shop' and 'holiday accommodation' are a 'D' (discretionary) use in the Commercial zone. This means 'the use is not permitted unless local government has exercised its discretion by granting development approval'.

Schedule 2 – Car Parking Table of LPS4 requires:

- 1 bay per 40m<sup>2</sup> of NLA (net lettable area) for a shop; and
- 1 bay per accommodation unit plus 1 visitor bay for every 4 accommodation units

The Local Planning Strategy seeks to promote a vibrant town centre, provide for a wide range of uses, requires a high standard of design and adopts a precautionary approach to flood risk. The site is located outside of the floodway.

The property is within a designated bushfire prone area.

Nearly all of the site is outside of the floodplain. A small section, on the western boundary, is within Special Control Area 3 - Flood Prone Land (1 in 100 Annual Exceedance Probability Event). This land is proposed to be used for car parking.

LPP7 objectives:

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

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

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

The applicant is proposing a site layout and cabin design (shown in Attachment 11.2.2) and a revised elevation to the Warren Road frontage (Attachment 11.2.4) which are considered generally consistent with LPP7.

**COMMENT:**

*A) Overview*

Following an assessment of the Development Application against the planning framework, submissions and information provided by the applicant (including the revised elevation to the Warren Road frontage set out in Attachment 11.2.4), the Development Application is generally consistent with LPS4, strategies and policies. It is accordingly recommended that Council conditionally approve the Development Application given:

- The design, with some modifications to the window treatments on the Warren Road frontage, is sympathetic to the heritage values of the town centre;

- It complies with Schedule 1 – Zone Development Requirements in LPS4 and generally complies with other relevant provisions in LPS4;
- Parking is located to the rear of the site;
- The proposed development will assist to further activate the town centre, providing additional retail floor space and additional overnight accommodation;
- It has the potential to draw visitors to Nannup which supports local businesses;
- It will create employment and economic development;
- There are no objections from other Shire officers/units; and
- Development conditions can assist to control the management of the development.

#### *B) Key issues*

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

#### Heritage

While the site contains no heritage-protected place, the site forms part of Special Control Area 6 – Heritage Area in LPS4 and the Nannup Mainstreet Heritage Precinct (LPP7).

The applicant proposes to demolish the existing dwelling and shed as part of the proposed development. These structures have no known heritage value. The existing commercial building will be retained and a new skillion verandah will connect the existing commercial building with the proposed shop.

The proposed shop and holiday accommodation are considered sympathetic to the heritage values of the site and the precinct, and are considered consistent with Nannup's 'garden village' character.

#### Building form/design

Overall, the design (shop and holiday accommodation) is suggested to be sympathetic the Heritage Area including building form, materials and colours. The design and materials are generally consistent with LPP7.

It is suggested the Warren Road frontage is the critical frontage from a design perspective. The proposed holiday accommodation (cabins) will not be visible from Warren Road.

The existing shop, to be retained, has a traditional orb roof with cream walls. The proposed shop will be constructed to match with the existing shop. The proposed shop and holiday accommodation will have weatherboard walls, the roof of the shop will be Zinalume, while the roof of the holiday accommodation will be Colourbond (Paperbark colour). The holiday accommodation will also be in the same colours with timber decking and balustrades.

A roof and verandah will connect the existing and proposed shop. The verandah is proposed to extend into the Warren Road reserve to provide weather protection.

Generally, LPP7 suggests the emphasis of new buildings should be vertical or compact, rather than wide, low buildings which have a horizontal emphasis to their form and detailing. Where large frontages are planned, the façade should be broken up by vertical elements, and where possible new floor levels, window positions and sizes, and verandahs, should complement those of adjacent buildings. Based on modifications post-advertising (Attachment 11.2.4), it is suggested that the applicant has minimised the overall horizontal impact of the development.

Traditionally, most windows and doors of Nannup's heritage buildings are rectangular with a vertical emphasis. Door and window frames of new buildings which are visible from the street may be of timber, or commercial quality box aluminium framed, or copper, or timber to match existing, or of a material and form to match the period of the building being restored.

The applicant has advised that the door and window frames will be aluminium and finished in Dulux Rosseau Green powdercoat to match the heritage building. The entry into the proposed shop has been designed to match the townscape by having a recessed front doorway and the entrance door will be hinged and not sliding.

The windows are not floor to ceiling however they are large and take up a considerable area of the Warren Road frontage. It is suggested there is a need to modify the window treatments to address LPP7. Accordingly, a condition has been recommended.

#### Vehicle access and parking

Positively, vehicle access and parking to the development is from the rear laneway. This assists to enhance the Warren Road frontage. Locating parking to the rear of the site also assists with safety of road users on Warren Road. The laneway has been recently sealed.

Currently, there are no formally constructed car parking bays on the site including to service the existing commercial development. This reflects the historic nature of the buildings. Existing carparking for customers is provided on-street within the Warren Road reserve.

Car parking and access standards and guidance are set out in LPS4 and LPP10. This includes a requirement that parking bays and vehicle access be appropriately sealed and drained by the applicant/landowner. Clause 32(5) of LPS4 enables the local government to reduce the number of car bays to reflect adjoining on-street bays.

The applicant proposes 10 on-site car parking bays for the development plus storage for 27 bicycles. Practically, there are 9 bays to accommodate the disabled persons bay.

Accepting that no on-site parking is provided to the existing commercial building, the new development (shop and holiday accommodation) require 14 bays based on LPS4 standards. Assessed against LPS4, there is a shortfall of 5 bays (noting the need to accommodate the disabled persons bay). It is suggested that this shortfall is acceptable given there are adjacent on-street bays in Warren Road. Additionally, the applicant proposed generous bicycle parking for 27 bikes given a number of trips will be cycling.

The commitment to provide the bicycle parking meets the intent of preparation and implementation of an Active Transport Plan (clause 32(8) of LPS4).

### Landscaping

To maintain the character of the town centre, the development proposes landscaping between the shop and the holiday accommodation. A landscaping plan will be prepared in line with the Shire's requirements.

### *C) Conclusion*

The proposed shop and holiday accommodation are considered a positive addition to the Nannup town centre and will support the local economy including through enabling visitors and tourists to stay in Nannup. Accordingly, it is recommended that Council approve the Development Application subject to conditions.

The Council could alternatively choose to defer making a decision on the matter and seek additional information or it may determine to refuse the Development Application.

### **STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005, Planning and Development (Local Planning Scheme) Regulations 2015, Land Administration Act 1997 and LPS4.*

### **POLICY IMPLICATIONS:**

*Local Planning Policy No. 8 Development in Flood Prone Land, Local Planning Policy No. 9 Tourism Land Uses and Short Term Accommodation, Local Planning Policy No. 10 Car Parking and Vehicular Access, and Local Planning Policy No. 13 Heritage Conservation* are non-statutory documents which are designed to provide guidance to assist the Council in its decision making. Accordingly, the Council is not bound by the policies but is required to have regards to the policies in determining the Development Application.

Additionally, there are various State Planning Policies which are relevant in assessing the Development Application including *State Planning Policy 3.5 Historic Heritage Conservation, State Planning Policy 3.7 Planning in Bushfire Prone Areas, State Planning Policy 5.4 Road and Rail Noise* and *State Planning Policy 7.0 Design of the Built Environment*.

### **FINANCIAL IMPLICATIONS:**

Nil at this stage. Any Council decision is open to a Right of Review from the applicant 'appealing' to the State Administrative Tribunal.

**RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

Officers have undertaken a Risk Assessment with respect to the item before Council and advise that the key risks are as follows:

- Reputational risk - Failure to consult with the community resulting in complaints. This has been managed through the consultation process and the risk is considered low.
- Compliance and regulatory risks - Failure to consider the guidelines presented in the Shire's local planning framework, including local planning policies. This has been managed through liaising with the applicant throughout the application process and can be further managed through the application of suitable planning conditions. The risk is considered low.
- Strategic risk – Not supporting the application would not support local businesses, the local economy and job creation, and employment which is consistent with the *Shire of Nannup Community Strategic Plan 2021-2036*. The risk is considered low.
- Financial risk - Please refer to the financial implications section above. The risk is considered low.

**STRATEGIC IMPLICATIONS:**

- 2.1 The Big Picture – We will grow our economy in ways that add value to our community and create diverse opportunities for our residents.
- 2.2 Tourism and Attraction – We will work together to attract people, investment and innovation to our Shire.
- 3.1 Our Shire and Streetscape – We will protect and enhance the charm and fabric of our unique Shire.
- 3.3 Planning and Building – We will provide quality planning outcomes for community benefit through quality consultation.

**VOTING REQUIREMENTS:**

Simple Majority.

**OFFICER RECOMMENDATION:**

That Council grant development approval to demolish the dwelling and shed, construct a new shop, construct 8 x 2 bedroom self-contained holiday accommodation units and undertake associated works, set out in Attachments 11.2.2 and 11.2.4, at Lot 12 on Deposited Plan 222883 (No. 30) Warren Road, Nannup pursuant to Schedule 2, Part 9, Clause 68 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and subject to the following conditions and advice notes:

1. This approval shall expire if the development hereby approved has not been substantially commenced within a period of two years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed no further development is to be carried out.
2. The development hereby approved must be carried out in accordance with the plans and documentation submitted with the application including the updated Warren Road elevations (in Attachment 11.2.4), addressing all conditions, or otherwise amended by the local government and shown on the approved plan and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.
3. The provision of details with the Building Permit application as to how stormwater will be addressed for the proposed development (including stormwater from roofs, car parking and other impervious areas) to the satisfaction of the local government. All stormwater and drainage run off is to be connected to a local government stormwater legal point of discharge prior to occupation to the satisfaction of the local government. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government.
4. The development is to be connected to the reticulated water system prior to occupation.
5. The development is to be connected to the reticulated sewerage system prior to occupation.
6. All car parking spaces are designed, constructed (sealed or paved) and drained (at the proponent's cost) to the satisfaction of the local government prior to occupation.
7. The provision of 27 lockable bicycle bays to the satisfaction of the local government prior to occupation.
8. Rubbish bin and recycling storage areas (open bin compound) to be designed, suitably screened from public view and constructed to the satisfaction of the local government prior to occupation.



9. A schedule of all materials to be used on the external surfaces of the building shall be submitted to the satisfaction of the local government prior to the issue of a Building Permit. The shop and holiday accommodation are clad or painted in colours consistent with *Local Planning Policy 7 – Nannup Mainstreet Heritage Precinct* and to the satisfaction of the local government prior to occupation of the development.
10. The development is constructed in accordance with the assigned construction standard in accordance with *AS3959 Construction of Buildings in Bushfire Prone Areas*. The low fuel area is permanently maintained around the development in accordance with the BAL assessment.
11. A Bushfire Emergency Evacuation Plan is to be approved by the local government and then implemented prior to occupation. Following this, measures in the approved Bushfire Emergency Evacuation Plan are to be maintained to the satisfaction of the local government. This includes that the Bushfire Emergency Evacuation Plan is to be displayed at all times.
12. The provision of details, with the Building Permit application, which show a Landscaping Plan to the satisfaction of the local government. The site is then landscaped in accordance with the approved Landscaping Plan prior to occupation. Following this, the landscaped area shall be maintained to the satisfaction of the local government at all times.
13. The applicant is to submit and gain local government approval for a Management Plan, prior to occupation, which addresses the responsibility for the behaviour of visitors and the management measures to be implemented to minimise adverse impacts on the amenity of the locality.
14. The new shop and associated verandah, to be constructed in the stage 1 works and prior to occupation of the holiday accommodation.
15. A smoke alarm must be installed in each cabin on or near the ceiling:
  - (i) in every bedroom; and
  - (ii) in every corridor or hallway associated with a bedroom or, if there is no corridor or hallway, in an area between the bedrooms and the remainder of the subject building.
16. A system of emergency lighting must be installed in each cabin to assist evacuation of occupants in the event of fire and this lighting must:
  - (i) be activated by a smoke alarm(s) (required by the previous Condition); and
  - (ii) consist of:
    - a. a light incorporated within the smoke alarm(s) itself; or
    - b. lighting located within the corridor, hallway or area served by the required smoke alarm(s).
17. The proponent is to maintain appropriate public liability insurance and also maintain appropriate insurances at all times relating to the verandah extending into the Warren Road reserve.

18. The applicant is to submit plans for a revised design of the windows facing Warren Road, prior to the issue of a Building Permit, which addresses the design requirements of *Local Planning Policy No. 7 - Nannup Main Street Heritage Precinct* to the satisfaction of the local government.

Advice

- A) This is not a Building Permit. A Building Permit must be obtained before any building works commence.
- B) The applicant/landowner is advised that the approved development must comply with all relevant provisions of the *Building Act 2011*, the *Building Code of Australia, Health (Miscellaneous Provisions) Act 1911*, *Public Health Act 2016* and the *Shire of Nannup Health Local Laws*.
- C) In relation to Condition 3, stormwater is to be suitably detained on site (e.g. rainwater tanks, soakwells) before connection into a local government stormwater legal point of discharge.
- D) In relation to Condition 17, there will additionally be a need to obtain approval from Main Roads Western Australia to undertake works in the Warren Road reserve.
- E) The property is located in an area which has been declared as bushfire prone by the Fire and Emergency Services Commissioner.
- F) The property may be impacted by road and rail noise as set out in *State Planning Policy 5.4 Road and Rail Noise* which is outlined at <https://www.wa.gov.au/government/publications/state-planning-policy-54-road-and-rail-noise>. You may wish to consider mitigation measures to minimise noise impacts.
- G) The applicant/operator should ensure that guests (and as relevant their pets) are considerate of neighbours at all times. In particular, activities should be especially low in volume between 7.00pm and 7.00am and are to comply with the *Environmental Protection (Noise) Regulations 1997*.
- H) The applicant is encouraged to adopt all practical measures to minimise waste and to also promote sustainable power generation. Solar collectors should be suitably located and designed and should minimise impacts when viewed from Warren Road.
- I) Unless exempt signage, no external signage is to be erected without the prior approval of the local government.
- J) If the applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

**COUNCIL RESOLUTION 241024.3****MOVED: CR HANSEN****SECONDED: CR BROWN**

*That Council grant development approval to demolish the dwelling and shed, construct a new shop, construct 8 x 2 bedroom self-contained holiday accommodation units and undertake associated works, set out in Attachments 11.2.2 and 11.2.4, at Lot 12 on Deposited Plan 222883 (No. 30) Warren Road, Nannup pursuant to Schedule 2, Part 9, Clause 68 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015 and subject to the following conditions and advice notes:*

- 1. This approval shall expire if the development hereby approved has not been substantially commenced within a period of two years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed no further development is to be carried out.*
- 2. The development hereby approved must be carried out in accordance with the plans and documentation submitted with the application including the updated Warren Road elevations (in Attachment 11.2.4), addressing all conditions, or otherwise amended by the local government and shown on the approved plan and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.*
- 3. The provision of details with the Building Permit application as to how stormwater will be addressed for the proposed development (including stormwater from roofs, car parking and other impervious areas) to the satisfaction of the local government. All stormwater and drainage run off is to be connected to a local government stormwater legal point of discharge prior to occupation to the satisfaction of the local government. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government.*
- 4. The development is to be connected to the reticulated water system prior to occupation.*
- 5. The development is to be connected to the reticulated sewerage system prior to occupation.*
- 6. All car parking spaces are designed, constructed (sealed or paved) and drained (at the proponent's cost) to the satisfaction of the local government prior to occupation.*
- 7. The provision of 27 lockable bicycle bays to the satisfaction of the local government prior to occupation.*
- 8. Rubbish bin and recycling storage areas (open bin compound) to be designed, suitably screened from public view and constructed to the satisfaction of the local government prior to occupation.*

9. ***A schedule of all materials to be used on the external surfaces of the building shall be submitted to the satisfaction of the local government prior to the issue of a Building Permit. The shop and holiday accommodation are clad or painted in colours consistent with Local Planning Policy 7 – Nannup Mainstreet Heritage Precinct and to the satisfaction of the local government prior to occupation of the development.***

10. ***The development is constructed in accordance with the assigned construction standard in accordance with AS3959 Construction of Buildings in Bushfire Prone Areas. The low fuel area is permanently maintained around the development in accordance with the BAL assessment.***

11. ***A Bushfire Emergency Evacuation Plan is to be approved by the local government and then implemented prior to occupation. Following this, measures in the approved Bushfire Emergency Evacuation Plan are to be maintained to the satisfaction of the local government. This includes that the Bushfire Emergency Evacuation Plan is to be displayed at all times.***

12. ***The provision of details, with the Building Permit application, which show a Landscaping Plan to the satisfaction of the local government. The site is then landscaped in accordance with the approved Landscaping Plan prior to occupation. Following this, the landscaped area shall be maintained to the satisfaction of the local government at all times.***

13. ***The applicant is to submit and gain local government approval for a Management Plan, prior to occupation, which addresses the responsibility for the behaviour of visitors and the management measures to be implemented to minimise adverse impacts on the amenity of the locality.***

14. ***The new shop and associated verandah, to be constructed in the stage 1 works and prior to occupation of the holiday accommodation.***

15. ***A smoke alarm must be installed in each cabin on or near the ceiling:***  
***(i) in every bedroom; and***  
***(ii) in every corridor or hallway associated with a bedroom or, if there is no corridor or hallway, in an area between the bedrooms and the remainder of the subject building.***

16. ***A system of emergency lighting must be installed in each cabin to assist evacuation of occupants in the event of fire and this lighting must:***  
***(i) be activated by a smoke alarm(s) (required by the previous Condition); and***  
***(ii) consist of:***  
***a. a light incorporated within the smoke alarm(s) itself; or***  
***b. lighting located within the corridor, hallway or area served by the required smoke alarm(s).***

17. ***The proponent is to maintain appropriate public liability insurance and also maintain appropriate insurances at all times relating to the verandah extending into the Warren Road reserve.***

**18. The applicant is to submit plans for a revised design of the windows facing Warren Road, prior to the issue of a Building Permit, which addresses the design requirements of Local Planning Policy No. 7 - Nannup Main Street Heritage Precinct to the satisfaction of the local government.**

**Advice**

**A) This is not a Building Permit. A Building Permit must be obtained before any building works commence.**

**B) The applicant/landowner is advised that the approved development must comply with all relevant provisions of the Building Act 2011, the Building Code of Australia, Health (Miscellaneous Provisions) Act 1911, Public Health Act 2016 and the Shire of Nannup Health Local Laws.**

**C) In relation to Condition 3, stormwater is to be suitably detained on site (e.g. rainwater tanks, soakwells) before connection into a local government stormwater legal point of discharge.**

**D) In relation to Condition 17, there will additionally be a need to obtain approval from Main Roads Western Australia to undertake works in the Warren Road reserve.**

**E) The property is located in an area which has been declared as bushfire prone by the Fire and Emergency Services Commissioner.**

**F) The property may be impacted by road and rail noise as set out in State Planning Policy 5.4 Road and Rail Noise which is outlined at <https://www.wa.gov.au/government/publications/state-planning-policy-54-road-and-rail-noise>. You may wish to consider mitigation measures to minimise noise impacts.**

**G) The applicant/operator should ensure that guests (and as relevant their pets) are considerate of neighbours at all times. In particular, activities should be especially low in volume between 7.00pm and 7.00am and are to comply with the Environmental Protection (Noise) Regulations 1997.**

**H) The applicant is encouraged to adopt all practical measures to minimise waste and to also promote sustainable power generation. Solar collectors should be suitably located and designed and should minimise impacts when viewed from Warren Road.**

**I) Unless exempt signage, no external signage is to be erected without the prior approval of the local government.**

**J) If the applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development**

**Act 2005 Part 14. An application must be made within 28 days of the determination.**

**CARRIED**

**TOTAL VOTES FOR: 6**

**Cr Dean, Cr Hansen, Cr Brown, Cr Fraser, Cr Curtis, Cr Sly**

**TOTAL VOTES AGAINST: 0**

AGENDA NUMBER & SUBJECT:	11.3 – Financial Activity Statement – September 2024
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 15
AUTHOR:	Robin Lorkiewicz – Finance Coordinator
REPORTING OFFICER:	Kim Dolzadelli – Executive Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 October 2024
PREVIOUS MEETING REFERENCE	Nil
ATTACHMENTS:	11.3.1 – Financial Activity Statement – September 2024

#### **BACKGROUND:**

The financial statements are presented to Council in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, stipulate that a Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds.

Section 6.4 of the *Local Government Act 1995*, requires that financial reports be prepared and presented in the manner and form prescribed in the *Local Government (Financial Management) Regulations*.

The requirement is for a Statement of Financial Activity with a report detailing material variances. The Financial Report presented includes this as well as other statements and supplementary information.

As the process of finalising the 2023/24 financial year is still underway at the time of writing this report, figures shown in the attached statements are subject to change until the 2023/24 Annual Financial Statements are completed and audited.

**COMMENT:**

The Financial Statements for the period ending 30 September 2024 present the financial performance of the Shire for the 2024/25 financial year and compare year to date expenditure and revenue against the corresponding year to date budget.

Attached for consideration is the completed Monthly Financial Report as per Attachment 11.3.1

The document attached includes Statement of Financial Activity by Nature or Type, Notes to the financial statements and an explanation of material variances.

**STATUTORY ENVIRONMENT:**

*Local Government Act 1995, Section 6.4.*

Local Government (Financial Management) Regulations 1996, Regulation 34.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

Officers have undertaken a Risk Assessment with respect to the item before Council and concludes by Council receiving these Statements of Financial Position, that no risks have been identified.

**STRATEGIC IMPLICATIONS:**

Nil.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council, in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the Financial Activity Statement for the period ending 30 September 2024 as per Attachment 11.3.1.

**COUNCIL RESOLUTION 241024.4****MOVED: CR SLY****SECONDED: CR CURTIS**

*That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receives the Financial Activity Statement for the period ending 30 September 2024 as per Attachment 11.3.1.*

**CARRIED****TOTAL VOTES FOR: 6****Cr Dean, Cr Hansen, Cr Fraser, Cr Curtis, Cr Sly****TOTAL VOTES AGAINST: 0**

AGENDA NUMBER & SUBJECT:	11.4 – Payment of Accounts – September 2024
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Lorkiewicz – Finance Coordinator
REPORTING OFFICER:	Kim Dolzadelli – Executive Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 October 2024
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	11.4.1 – Payment of Accounts – September 2024

**BACKGROUND:**

To advise Council of payments made for the period 1 September to 30 September 2024.

**COMMENT:**

Payments of \$463,144.85 as detailed in the payment of accounts listing for the period 1 September to 30 September 2024 as per Attachment 11.4.1 have been approved under delegated authority.



**Municipal Account**

Accounts paid by EFT	17571 - 17671	\$331,317.47
Accounts paid by cheque	20635 - 20636	\$990.90
Accounts paid by Direct Debit	13473.1 – 13567.20	\$130,836.48
<i>Sub Total Municipal Account</i>		<u>\$463,144.85</u>

**Trust Account**

Accounts paid by EFT	-	\$0.00
<i>Sub Total Trust Account</i>		<u>\$0.00</u>
<b>Total Payments</b>		<b><u><u>\$463,144.85</u></u></b>

**STATUTORY ENVIRONMENT:**

Regulation 13(2) of the *Local Government (Financial Management) Regulations 1996*, requires a local government to prepare a list of accounts approved for payment under delegated authority showing the payee's name; the amount of the payment; and sufficient information to identify the transaction, and the date of the payment; this list is to be presented to council at the next ordinary meeting of the Council after the list is prepared.

Regulation 13A of the *Local Government (Financial Management) Regulations 1996*, requires a local government to prepare a list of payments made using the purchasing cards showing the payee's name; the amount of the payment; and sufficient information to identify the transaction and the date of the payment; this list is to be presented to council at the next ordinary meeting of the Council after the list is prepared.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

As indicated in Payment of Accounts.

**RISK MANAGEMENT MATRIX**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

Audit risks	Financial and credit risks
Operational risks	Technological and IT risks
Compliance and regulatory risks	Environmental risks
Legal risks	Strategic risks
Political risks	Sustainability and security risks

Officers have undertaken a Risk Assessment with respect to the item before Council and concludes by Council receiving these reports of payment of accounts, that no risks have been identified.

**STRATEGIC IMPLICATIONS:**

Nil.

**VOTING REQUIREMENTS:**

Simple majority.

**OFFICER RECOMMENDATION:**

That Council notes the payment of accounts totalling \$463,144.85 for the period 1 September 2024 to 30 September 2024 as per Attachment 11.4.1.

***COUNCIL RESOLUTION 241024.5***

***MOVED: CR HANSEN***

***SECONDED: CR BROWN***

***That Council notes the payment of accounts totalling \$463,144.85 for the period 1 September 2024 to 30 September 2024 as per Attachment 11.4.1.***

***CARRIED***

***TOTAL VOTES FOR: 6***

***Cr Dean, Cr Hansen, Cr Brown, Cr Fraser, Cr Curtis, Cr Sly***

***TOTAL VOTES AGAINST: 0***

**12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**

Nil.

**13. MEETING MAY BE CLOSED:**

Nil.

**14. CLOSURE OF MEETING:**

Shire President declared the meeting closed at 4.46pm.

**Attachments**

<b>Item #</b>	<b>Attachment #</b>	<b>Title</b>
5.1	1	Shire of Nannup Ordinary Council Meeting – September 2024
11.2.1	1	Location Map
11.2.2	1	Original Information and plans from the applicant
11.2.3	1	Submission
11.2.4	1	Updated information from applicant
11.2.5	1	Extract of Planning framework
11.3.1	1	Financial Activity Statement – September 2024
11.4.1	1	Payment of Accounts